

***In the Senate of the United States,***

*December 7, 2004.*

*Resolved*, That the Senate agree to the amendments of the House of Representatives to the bill (S. 1521) entitled “An Act to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans’ groups, and the local community, and for other purposes.” with the following

**SENATE AMENDMENTS TO HOUSE AMENDMENTS:**

1   **(1)**Page 3, line 21, strike section 210 and insert:

1 **SEC. 201. AUTHORIZATION AND APPROPRIATION EXTEN-**  
 2 **SIONS.**

3 (a) *IN GENERAL.*—*Division II of the Omnibus Parks*  
 4 *and Public Lands Management Act of 1996 (Public Law*  
 5 *104–333; 16 U.S.C. 461 note) is amended—*

6 (1) *in each of sections 107, 208, 408, 507, 607,*  
 7 *811, and 910, by striking “September 30, 2012” and*  
 8 *inserting “September 30, 2027”; and*

9 (2) *in title VIII, by striking “Canal National*  
 10 *Heritage Corridor” each place it appears in the sec-*  
 11 *tion headings and text and inserting “National Her-*  
 12 *itage Canalway”.*

13 (b) *JOHN H. CHAFEE BLACKSTONE RIVER VALLEY.*—  
 14 *Section 7 of Public Law 99–647 (16 U.S.C. 461 note) is*  
 15 *amended by striking “on the date” and all that follows*  
 16 *through “section” and inserting “on September 30, 2027”.*

17 (2)Page 23, after line 21, insert:

18 **TITLE VIII—WIND CAVE NA-**  
 19 **TIONAL PARK BOUNDARY RE-**  
 20 **VISION**

21 **SEC. 801. SHORT TITLE.**

22 *This title may be cited as the “Wind Cave National*  
 23 *Park Boundary Revision Act of 2004”.*

24 **SEC. 802. DEFINITIONS.**

25 *In this title:*

1           (1) *MAP.*—*The term “map” means the map enti-*  
 2           *tled “Wind Cave National Park Boundary Revision”,*  
 3           *numbered 108/80,030, and dated June 2002.*

4           (2) *PARK.*—*The term “Park” means the Wind*  
 5           *Cave National Park in the State.*

6           (3) *SECRETARY.*—*The term “Secretary” means*  
 7           *the Secretary of the Interior.*

8           (4) *STATE.*—*The term “State” means the State*  
 9           *of South Dakota.*

10 **SEC. 803. LAND ACQUISITION.**

11           (a) *AUTHORITY.*—

12           (1) *IN GENERAL.*—*The Secretary may acquire*  
 13           *the land or interest in land described in subsection*  
 14           *(b)(1) for addition to the Park.*

15           (2) *MEANS.*—*An acquisition of land under para-*  
 16           *graph (1) may be made by donation, purchase from*  
 17           *a willing seller with donated or appropriated funds,*  
 18           *or exchange.*

19           (b) *BOUNDARY.*—

20           (1) *MAP AND ACREAGE.*—*The land referred to in*  
 21           *subsection (a)(1) shall consist of approximately 5,675*  
 22           *acres, as generally depicted on the map.*

23           (2) *AVAILABILITY OF MAP.*—*The map shall be on*  
 24           *file and available for public inspection in the appro-*  
 25           *priate offices of the National Park Service.*

1           (3) *REVISION.*—*The boundary of the Park shall*  
 2           *be adjusted to reflect the acquisition of land under*  
 3           *subsection (a)(1).*

4 **SEC. 804. ADMINISTRATION.**

5           (a) *IN GENERAL.*—*The Secretary shall administer any*  
 6           *land acquired under section 803(a)(1) as part of the Park*  
 7           *in accordance with laws (including regulations) applicable*  
 8           *to the Park.*

9           (b) *TRANSFER OF ADMINISTRATIVE JURISDICTION.*—

10           (1) *IN GENERAL.*—*The Secretary shall transfer*  
 11           *from the Director of the Bureau of Land Management*  
 12           *to the Director of the National Park Service adminis-*  
 13           *trative jurisdiction over the land described in para-*  
 14           *graph (2).*

15           (2) *MAP AND ACREAGE.*—*The land referred to in*  
 16           *paragraph (1) consists of the approximately 80 acres*  
 17           *of land identified on the map as “Bureau of Land*  
 18           *Management land”.*

19 **SEC. 805. GRAZING.**

20           (a) *GRAZING PERMITTED.*—*Subject to any permits or*  
 21           *leases in existence as of the date of acquisition, the Sec-*  
 22           *retary may permit the continuation of livestock grazing on*  
 23           *land acquired under section 803(a)(1).*

1       (b) *LIMITATION.*—Grazing under subsection (a) shall  
 2   be at not more than the level existing on the date on which  
 3   the land is acquired under section 803(a)(1).

4       (c) *PURCHASE OF PERMIT OR LEASE.*—The Secretary  
 5   may purchase the outstanding portion of a grazing permit  
 6   or lease on any land acquired under section 803(a)(1).

7       (d) *TERMINATION OF LEASES OR PERMITS.*—The Sec-  
 8   retary may accept the voluntary termination of a permit  
 9   or lease for grazing on any acquired land.

10   **TITLE IX—BLUNT RESERVOIR**  
 11   **AND PIERRE CANAL LAND**  
 12   **CONVEYANCE**

13   **SEC. 901. SHORT TITLE.**

14       This title may be cited as the “Blunt Reservoir and  
 15   Pierre Canal Land Conveyance Act of 2004”.

16   **SEC. 902. BLUNT RESERVOIR AND PIERRE CANAL.**

17       (a) *DEFINITIONS.*—In this section:

18           (1) *BLUNT RESERVOIR FEATURE.*—The term  
 19       “Blunt Reservoir feature” means the Blunt Reservoir  
 20       feature of the Oahe Unit, James Division, authorized  
 21       by the Act of August 3, 1968 (82 Stat. 624), as part  
 22       of the Pick-Sloan Missouri River Basin program.

23           (2) *COMMISSION.*—The term “Commission”  
 24       means the Commission of Schools and Public Lands  
 25       of the State.

1           (3) *NONPREFERENTIAL LEASE PARCEL.*—The  
 2           term “nonpreferential lease parcel” means a parcel of  
 3           land that—

4                   (A) was purchased by the Secretary for use  
 5                   in connection with the Blunt Reservoir feature or  
 6                   the Pierre Canal feature; and

7                   (B) was considered to be a nonpreferential  
 8                   lease parcel by the Secretary as of January 1,  
 9                   2001, and is reflected as such on the roster of  
 10                  leases of the Bureau of Reclamation for 2001.

11           (4) *PIERRE CANAL FEATURE.*—The term “Pierre  
 12           Canal feature” means the Pierre Canal feature of the  
 13           Oahe Unit, James Division, authorized by the Act of  
 14           August 3, 1968 (82 Stat. 624), as part of the Pick-  
 15           Sloan Missouri River Basin program.

16           (5) *PREFERENTIAL LEASEHOLDER.*—The term  
 17           “preferential leaseholder” means a person or descend-  
 18           ant of a person that held a lease on a preferential  
 19           lease parcel as of January 1, 2001, and is reflected  
 20           as such on the roster of leases of the Bureau of Rec-  
 21           lamation for 2001.

22           (6) *PREFERENTIAL LEASE PARCEL.*—The term  
 23           “preferential lease parcel” means a parcel of land  
 24           that—

1           (A) was purchased by the Secretary for use  
 2           in connection with the Blunt Reservoir feature or  
 3           the Pierre Canal feature; and

4           (B) was considered to be a preferential lease  
 5           parcel by the Secretary as of January 1, 2001,  
 6           and is reflected as such on the roster of leases of  
 7           the Bureau of Reclamation for 2001.

8           (7) SECRETARY.—The term “Secretary” means  
 9           the Secretary of the Interior, acting through the Com-  
 10          missioner of Reclamation.

11          (8) STATE.—The term “State” means the State  
 12          of South Dakota, including a successor in interest of  
 13          the State.

14          (9) UNLEASED PARCEL.—The term “unleased  
 15          parcel” means a parcel of land that—

16               (A) was purchased by the Secretary for use  
 17               in connection with the Blunt Reservoir feature or  
 18               the Pierre Canal feature; and

19               (B) is not under lease as of the date of en-  
 20               actment of this Act.

21          (b) DEAUTHORIZATION.—The Blunt Reservoir feature  
 22          is deauthorized.

23          (c) ACCEPTANCE OF LAND AND OBLIGATIONS.—

1           (1) *IN GENERAL.*—As a condition of each convey-  
 2           ance under subsections (d)(5) and (e), respectively, the  
 3           State shall agree to accept—

4                   (A) in “as is” condition, the portions of the  
 5                   Blunt Reservoir Feature and the Pierre Canal  
 6                   Feature that pass into State ownership;

7                   (B) any liability accruing after the date of  
 8                   conveyance as a result of the ownership, oper-  
 9                   ation, or maintenance of the features referred to  
 10                  in subparagraph (A), including liability associ-  
 11                  ated with certain outstanding obligations associ-  
 12                  ated with expired easements, or any other right  
 13                  granted in, on, over, or across either feature; and

14                  (C) the responsibility that the Commission  
 15                  will act as the agent for the Secretary in admin-  
 16                  istering the purchase option extended to pref-  
 17                  erential leaseholders under subsection (d).

18           (2) *RESPONSIBILITIES OF THE STATE.*—An out-  
 19           standing obligation described in paragraph (1)(B)  
 20           shall inure to the benefit of, and be binding upon, the  
 21           State.

22           (3) *OIL, GAS, MINERAL AND OTHER OUT-*  
 23           *STANDING RIGHTS.*—A conveyance to the State under  
 24           subsection (d)(5) or (e) or a sale to a preferential



1        *leaseholder under subsection (d) shall be made subject*  
 2        *to—*

3                *(A) oil, gas, and other mineral rights re-*  
 4                *served of record, as of the date of enactment of*  
 5                *this Act, by or in favor of a third party; and*

6                *(B) any permit, license, lease, right-of-use,*  
 7                *or right-of-way of record in, on, over, or across*  
 8                *a feature referred to in paragraph (1)(A) that is*  
 9                *outstanding as to a third party as of the date of*  
 10               *enactment of this Act.*

11               *(4) ADDITIONAL CONDITIONS OF CONVEYANCE TO*  
 12               *STATE.—A conveyance to the State under subsection*  
 13               *(d)(5) or (e) shall be subject to the reservations by the*  
 14               *United States and the conditions specified in section*  
 15               *1 of the Act of May 19, 1948 (chapter 310; 62 Stat.*  
 16               *240), as amended (16 U.S.C. 667b), for the transfer*  
 17               *of property to State agencies for wildlife conservation*  
 18               *purposes.*

19               *(d) PURCHASE OPTION.—*

20               *(1) IN GENERAL.—A preferential leaseholder*  
 21               *shall have an option to purchase from the Commis-*  
 22               *sion, acting as an agent for the Secretary, the pref-*  
 23               *erential lease parcel that is the subject of the lease.*

24               *(2) TERMS.—*

1           (A) *IN GENERAL.*—*Except as provided in*  
 2           *subparagraph (B), a preferential leaseholder may*  
 3           *elect to purchase a parcel on one of the following*  
 4           *terms:*

5                   (i) *Cash purchase for the amount that*  
 6                   *is equal to—*

7                           (I) *the value of the parcel deter-*  
 8                           *mined under paragraph (4); minus*

9                           (II) *ten percent of that value.*

10                   (ii) *Installment purchase, with 10 per-*  
 11                   *cent of the value of the parcel determined*  
 12                   *under paragraph (4) to be paid on the date*  
 13                   *of purchase and the remainder to be paid*  
 14                   *over not more than 30 years at 3 percent*  
 15                   *annual interest.*

16           (B) *VALUE UNDER \$10,000.*—*If the value of*  
 17           *the parcel is under \$10,000, the purchase shall be*  
 18           *made on a cash basis in accordance with sub-*  
 19           *paragraph (A)(i).*

20           (3) *OPTION EXERCISE PERIOD.*—

21                   (A) *IN GENERAL.*—*A preferential lease-*  
 22                   *holder shall have until the date that is 5 years*  
 23                   *after enactment of this Act to exercise the option*  
 24                   *under paragraph (1).*

1           (B) *CONTINUATION OF LEASES.*—Until the  
 2           date specified in subparagraph (A), a pref-  
 3           erential leaseholder shall be entitled to continue  
 4           to lease from the Secretary the parcel leased by  
 5           the preferential leaseholder under the same terms  
 6           and conditions as under the lease, as in effect as  
 7           of the date of enactment of this Act.

8           (4) *VALUATION.*—

9           (A) *IN GENERAL.*—The value of a pref-  
 10          erential lease parcel shall be its fair market  
 11          value for agricultural purposes determined by an  
 12          independent appraisal, exclusive of the value of  
 13          private improvements made by the leaseholders  
 14          while the land was federally owned before the  
 15          date of the enactment of this Act, in conformance  
 16          with the Uniform Appraisal Standards for Fed-  
 17          eral Land Acquisition.

18          (B) *FAIR MARKET VALUE.*—Any dispute  
 19          over the fair market value of a property under  
 20          subparagraph (A) shall be resolved in accordance  
 21          with section 2201.4 of title 43, Code of Federal  
 22          Regulations.

23          (5) *CONVEYANCE TO THE STATE.*—

24          (A) *IN GENERAL.*—If a preferential lease-  
 25          holder fails to purchase a parcel within the pe-

1        *riod specified in paragraph (3)(A), the Secretary*  
 2        *shall convey the parcel to the State of South Da-*  
 3        *kota Department of Game, Fish, and Parks.*

4                *(B) WILDLIFE HABITAT MITIGATION.—Land*  
 5        *conveyed under subparagraph (A) shall be used*  
 6        *by the South Dakota Department of Game, Fish,*  
 7        *and Parks for the purpose of mitigating the*  
 8        *wildlife habitat that was lost as a result of the*  
 9        *development of the Pick-Sloan project.*

10               *(6) USE OF PROCEEDS.—Proceeds of sales of*  
 11        *land under this title shall be deposited as miscella-*  
 12        *neous funds in the Treasury and such funds shall be*  
 13        *made available, subject to appropriations, to the State*  
 14        *for the establishment of a trust fund to pay the coun-*  
 15        *ty taxes on the lands received by the State Depart-*  
 16        *ment of Game, Fish, and Parks under the bill.*

17               *(e) CONVEYANCE OF NONPREFERENTIAL LEASE PAR-*  
 18        *CELS AND UNLEASED PARCELS.—*

19               *(1) CONVEYANCE BY SECRETARY TO STATE.—*

20               *(A) IN GENERAL.—Not later than 1 year*  
 21        *after the date of enactment of this Act, the Sec-*  
 22        *retary shall convey to the South Dakota Depart-*  
 23        *ment of Game, Fish, and Parks the nonpref-*  
 24        *erential lease parcels and unleased parcels of the*  
 25        *Blunt Reservoir and Pierre Canal.*

1                   (B) *WILDLIFE HABITAT MITIGATION.*—Land  
 2                   conveyed under subparagraph (A) shall be used  
 3                   by the South Dakota Department of Game, Fish,  
 4                   and Parks for the purpose of mitigating the  
 5                   wildlife habitat that was lost as a result of the  
 6                   development of the Pick-Sloan project.

7                   (2) *LAND EXCHANGES FOR NONPREFERENTIAL*  
 8                   *LEASE PARCELS AND UNLEASED PARCELS.*—

9                   (A) *IN GENERAL.*—With the concurrence of  
 10                  the South Dakota Department of Game, Fish,  
 11                  and Parks, the South Dakota Commission of  
 12                  Schools and Public Lands may allow a person to  
 13                  exchange land that the person owns elsewhere in  
 14                  the State for a nonpreferential lease parcel or  
 15                  unleased parcel at Blunt Reservoir or Pierre  
 16                  Canal, as the case may be.

17                  (B) *PRIORITY.*—The right to exchange non-  
 18                  preferential lease parcels or unleased parcels  
 19                  shall be granted in the following order or pri-  
 20                  ority:

21                       (i) *Exchanges with current lessees for*  
 22                       *nonpreferential lease parcels.*

23                       (ii) *Exchanges with adjoining and ad-*  
 24                       *acent landowners for unleased parcels and*

1                   *nonpreferential lease parcels not exchanged*  
 2                   *by current lessees.*

3                   (C) *EASEMENT FOR WATER CONVEYANCE*  
 4                   *STRUCTURE.—As a condition of the exchange of*  
 5                   *land of the Pierre Canal Feature under this*  
 6                   *paragraph, the United States reserves a per-*  
 7                   *petual easement to the land to allow for the right*  
 8                   *to design, construct, operate, maintain, repair,*  
 9                   *and replace a pipeline or other water conveyance*  
 10                   *structure over, under, across, or through the*  
 11                   *Pierre Canal feature.*

12                  (f) *RELEASE FROM LIABILITY.—*

13                   (1) *IN GENERAL.—Effective on the date of con-*  
 14                   *veyance of any parcel under this title, the United*  
 15                   *States shall not be held liable by any court for dam-*  
 16                   *ages of any kind arising out of any act, omission, or*  
 17                   *occurrence relating to the parcel, except for damages*  
 18                   *for acts of negligence committed by the United States*  
 19                   *or by an employee, agent, or contractor of the United*  
 20                   *States, before the date of conveyance.*

21                   (2) *NO ADDITIONAL LIABILITY.—Nothing in this*  
 22                   *section adds to any liability that the United States*  
 23                   *may have under chapter 171 of title 28, United States*  
 24                   *Code (commonly known as the “Federal Tort Claims*  
 25                   *Act”).*

1       (g) *REQUIREMENTS CONCERNING CONVEYANCE OF*  
 2 *LEASE PARCELS.*—

3           (1) *INTERIM REQUIREMENTS.*—*During the pe-*  
 4 *riod beginning on the date of enactment of this Act*  
 5 *and ending on the date of conveyance of the parcel,*  
 6 *the Secretary shall continue to lease each preferential*  
 7 *lease parcel or nonpreferential lease parcel to be con-*  
 8 *veyed under this section under the terms and condi-*  
 9 *tions applicable to the parcel on the date of enactment*  
 10 *of this Act.*

11          (2) *PROVISION OF PARCEL DESCRIPTIONS.*—*Not*  
 12 *later than 180 days after the date of enactment of this*  
 13 *Act, the Secretary shall provide the State a full legal*  
 14 *description of all preferential lease parcels and non-*  
 15 *preferential lease parcels that may be conveyed under*  
 16 *this section.*

17       (h) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*  
 18 *authorized to be appropriated to carry out this title*  
 19 *\$750,000 to reimburse the Secretary for expenses incurred*  
 20 *in implementing this title, and such sums as are necessary*  
 21 *to reimburse the Commission for expenses incurred imple-*  
 22 *menting this title, not to exceed 10 percent of the cost of*  
 23 *each transaction conducted under this title.*

1       **TITLE X—STEEL INDUSTRY**  
 2       **NATIONAL HISTORIC SITE**

3   **SEC. 1001. FINDINGS AND PURPOSES.**

4       (a) *FINDINGS.*—*The Congress finds the following:*

5           (1) *Certain sites and structures in the Common-*  
 6       *wealth of Pennsylvania symbolize in physical form*  
 7       *the heritage of the steel industry of the United States.*

8           (2) *Certain buildings and other structures in the*  
 9       *Commonwealth of Pennsylvania are nationally sig-*  
 10       *nificant historical resources, including the United*  
 11       *States Steel Homestead Works, the Carrie Furnace*  
 12       *complex, and the Hot Metal Bridge.*

13          (3) *Despite substantial efforts for cultural preser-*  
 14       *vation and historical interpretation by the Common-*  
 15       *wealth of Pennsylvania and by individuals and pub-*  
 16       *lic and private entities in the Commonwealth, these*  
 17       *buildings and other structures may be lost without the*  
 18       *assistance of the Federal Government.*

19       (b) *PURPOSES.*—*The purposes of this title are to en-*  
 20       *sure the preservation, interpretation, visitor enjoyment, and*  
 21       *maintenance of the nationally significant historical and*  
 22       *cultural sites and structures described in subsection (a) for*  
 23       *the benefit and inspiration of present and future genera-*  
 24       *tions.*



1 **SEC. 1002. STEEL INDUSTRY NATIONAL HISTORIC SITE,**  
 2 **PENNSYLVANIA.**

3 (a) *ESTABLISHMENT.*—*The Steel Industry National*  
 4 *Historic Site is hereby established as a unit of the National*  
 5 *Park System in the Commonwealth of Pennsylvania.*

6 (b) *DESCRIPTION.*—

7 (1) *INCLUSION OF CERTAIN PROPERTY.*—*Subject*  
 8 *to paragraph (2), the historic site shall consist of the*  
 9 *following properties, each of which relate to the*  
 10 *former United States Steel Homestead Works, as de-*  
 11 *scribed on the map entitled “Steel Industry National*  
 12 *Historic Site”, dated November 2003, and numbered*  
 13 *80,000:*

14 (A) *The historic location of the Battle of*  
 15 *Homestead site in the borough of Munhall, Penn-*  
 16 *sylvania, consisting of approximately 3 acres of*  
 17 *land, including the pumphouse and water tower*  
 18 *and related structures, within the property*  
 19 *bounded by the Monongahela River, the CSX*  
 20 *railroad, Waterfront Drive, and the Damascus-*  
 21 *Marcegaglia Steel Mill.*

22 (B) *The historic location of the Carrie Fur-*  
 23 *nace complex in the boroughs of Swissvale and*  
 24 *Rankin, Pennsylvania, consisting of approxi-*  
 25 *mately 35 acres of land, including blast furnaces*  
 26 *6 and 7, the ore yard, the cast house, the blowing*

1        *engine house, the AC power house, and related*  
 2        *structures, within the property bounded by the*  
 3        *proposed southwesterly right-of-way line needed*  
 4        *to accommodate the Mon/Fayette Expressway*  
 5        *and the relocated CSX railroad right-of-way, the*  
 6        *Monongahela River, and a property line drawn*  
 7        *northeast to southwest approximately 100 yards*  
 8        *east of the AC power house.*

9                *(C) The historic location of the Hot Metal*  
 10        *Bridge, consisting of the Union railroad bridge*  
 11        *and its approaches, spanning the Monongahela*  
 12        *River and connecting the mill sites in the bor-*  
 13        *oughs of Rankin and Munhall, Pennsylvania.*

14                *(2) AVAILABILITY OF MAP.—The map referred to*  
 15        *in paragraph (1) shall be available for public inspec-*  
 16        *tion in an appropriate office of the National Park*  
 17        *Service.*

18                *(c) ACQUISITION OF PROPERTY.— To further the pur-*  
 19        *poses of this section, the Secretary of the Interior may ac-*  
 20        *quire, only by donation, property for inclusion in the his-*  
 21        *toric site as follows:*

22                *(1) Any land or interest in land with respect to*  
 23        *the property identified in subsection (b)(1).*

24                *(2) Up to 10 acres of land adjacent to or in the*  
 25        *general proximity of the property identified in such*

1 subsection, for the development of visitor, administra-  
 2 tive, museum, curatorial, and maintenance facilities.

3 (3) *Personal property associated with, and ap-*  
 4 *propriate for, the interpretation of the historic site.*

5 (d) *PRIVATE PROPERTY PROTECTIONS.—Nothing in*  
 6 *this title shall be construed—*

7 (1) *to require any private property owner to per-*  
 8 *mit public access (including Federal, State, or local*  
 9 *government access) to the private property; or*

10 (2) *to modify any provision of Federal, State, or*  
 11 *local law with regard to public access to or use of pri-*  
 12 *vate property.*

13 (e) *ADMINISTRATION.—The Secretary of the Interior*  
 14 *shall administer the historic site in accordance with this*  
 15 *title and the provisions of law generally applicable to units*  
 16 *of the National Park System, including the Act of August*  
 17 *25, 1916 (16 U.S.C. 1 et seq.), and the Act of August 21,*  
 18 *1935 (16 U.S.C. 461 et seq.).*

19 (f) *COOPERATIVE AGREEMENTS.—*

20 (1) *IN GENERAL.—Until such time as the Sec-*  
 21 *retary of the Interior has acquired the property iden-*  
 22 *tified in subsection (b)(1), as depicted on the map re-*  
 23 *ferred to in such subsection, the Secretary may enter*  
 24 *into a cooperative agreement with any interested in-*

1        *dividual, public or private agency, organization, or*  
 2        *institution to further the purposes of the historic site.*

3            (2) *CONTRARY PURPOSES.*—*Any payment made*  
 4        *by the Secretary pursuant to a cooperative agreement*  
 5        *under this subsection shall be subject to an agreement*  
 6        *that conversion, use, or disposal of the project so as-*  
 7        *sisted for purposes contrary to the purpose of the his-*  
 8        *toric site, as determined by the Secretary, shall result*  
 9        *in a right of the United States to reimbursement of*  
 10       *all funds made available to such a project or the pro-*  
 11       *portion of the increased value of the project attrib-*  
 12       *utable to such funds as determined at the time of such*  
 13       *conversion, use, or disposal, whichever is greater.*

14        (g) *TECHNICAL ASSISTANCE.*—*The Secretary of the In-*  
 15       *terior may provide technical assistance to any person for—*

16            (1) *the preservation of historic structures within*  
 17        *the historic site; and*

18            (2) *the maintenance of the natural and cultural*  
 19        *landscape of the historic site.*

20        (h) *GENERAL MANAGEMENT PLAN.*—

21            (1) *PREPARATION.*—*Not later than three years*  
 22        *after the date on which funds are first made available*  
 23        *to carry out this title, the Secretary of the Interior*  
 24        *shall prepare a general management plan for the his-*  
 25        *toric site that will incorporate or otherwise address*

1        *substantive comments made during the consultation*  
 2        *required by paragraph (2).*

3            (2) *CONSULTATION.—The Secretary shall pre-*  
 4        *pare the general management plan in consultation*  
 5        *with—*

6                    (A) *an appropriate official of each appro-*  
 7        *priate political subdivision of the Commonwealth*  
 8        *of Pennsylvania that has jurisdiction over all or*  
 9        *a portion of the lands included in the historic*  
 10       *site;*

11                   (B) *an appropriate official of the Steel In-*  
 12       *dustry Heritage Corporation; and*

13                   (C) *private property owners in the vicinity*  
 14       *of the historic site.*

15            (3) *SUBMISSION OF PLAN TO CONGRESS.—Upon*  
 16       *the completion of the general management plan, the*  
 17       *Secretary shall submit a copy of the plan to the Com-*  
 18       *mittee on Energy and Natural Resources of the Sen-*  
 19       *ate and the Committee on Resources of the House of*  
 20       *Representatives.*

21        ***TITLE XI—ST. CROIX NATIONAL***  
 22        ***HERITAGE AREA STUDY***

23        ***SEC. 1101. ST. CROIX NATIONAL HERITAGE AREA STUDY.***

24            (a) *STUDY.—The Secretary of the Interior, in con-*  
 25       *sultation with appropriate State historic preservation offi-*

1 *cers, States historical societies, and other appropriate orga-*  
 2 *nizations, shall conduct a study regarding the suitability*  
 3 *and feasibility of designating the island of St. Croix as the*  
 4 *St. Croix National Heritage Area. The study shall include*  
 5 *analysis, documentation, and determination regarding*  
 6 *whether the island of St. Croix—*

7           (1) *has an assemblage of natural, historic, and*  
 8 *cultural resources that together represent distinctive*  
 9 *aspects of American heritage worthy of recognition,*  
 10 *conservation, interpretation, and continuing use, and*  
 11 *are best managed through partnerships among public*  
 12 *and private entities and by combining diverse and*  
 13 *sometimes noncontiguous resources and active com-*  
 14 *munities;*

15           (2) *provides outstanding opportunities to con-*  
 16 *serve natural, historic, cultural, or scenic features;*

17           (3) *provides outstanding recreational and edu-*  
 18 *cational opportunities;*

19           (4) *contains resources important to the identified*  
 20 *theme or themes of the island of St. Croix that retain*  
 21 *a degree of integrity capable of supporting interpreta-*  
 22 *tion;*

23           (5) *includes residents, business interests, non-*  
 24 *profit organizations, and local and State governments*  
 25 *that are involved in the planning, have developed a*

1       *conceptual financial plan that outlines the roles of all*  
 2       *participants (including the Federal Government), and*  
 3       *have demonstrated support for the concept of a na-*  
 4       *tional heritage area;*

5               *(6) has a potential management entity to work*  
 6       *in partnership with residents, business interests, non-*  
 7       *profit organizations, and local and State governments*  
 8       *to develop a national heritage area consistent with*  
 9       *continued local and State economic activity; and*

10              *(7) has a conceptual boundary map that is sup-*  
 11       *ported by the public.*

12       *(b) PRIVATE PROPERTY.—In conducting the study re-*  
 13       *quired by this section, the Secretary of the Interior shall*  
 14       *analyze the potential impact that designation of the area*  
 15       *as a national heritage area is likely to have on land within*  
 16       *the proposed area or bordering the proposed area that is*  
 17       *privately owned at the time that the study is conducted.*

18       *(c) REPORT.—Not later than 3 fiscal years after the*  
 19       *date on which funds are first made available for this sec-*  
 20       *tion, the Secretary of the Interior shall submit to the Com-*  
 21       *mittee on Resources of the House of Representatives and the*  
 22       *Committee on Energy and Natural Resources of the Senate*  
 23       *a report on the findings, conclusions, and recommendations*  
 24       *as the Secretary deems appropriate.*

1     **TITLE XII—ARABIA MOUNTAIN**  
 2     **NATIONAL HERITAGE AREA**

3     **SEC. 1201. FINDINGS AND PURPOSES.**

4         (a) *FINDINGS.*—Congress finds the following:

5             (1) *The Arabia Mountain area contains a variety of natural, cultural, historical, scenic, and recreational resources that together represent distinctive aspects of the heritage of the United States that are worthy of recognition, conservation, interpretation, and continuing use.*

11            (2) *The best methods for managing the resources of the Arabia Mountain area would be through partnerships between public and private entities that combine diverse resources and active communities.*

15            (3) *Davidson-Arabia Mountain Nature Preserve, a 535-acre park in DeKalb County, Georgia—*

17                 (A) *protects granite outcrop ecosystems, wetland, and pine and oak forests; and*

19                 (B) *includes federally-protected plant species.*

21            (4) *Panola Mountain, a national natural landmark, located in the 860-acre Panola Mountain State Conservation Park, is a rare example of a pristine granite outcrop.*



1           (5) *The archaeological site at Miners Creek Pre-*  
 2           *serve along the South River contains documented evi-*  
 3           *dence of early human activity.*

4           (6) *The city of Lithonia, Georgia, and related*  
 5           *sites of Arabia Mountain and Stone Mountain possess*  
 6           *sites that display the history of granite mining as an*  
 7           *industry and culture in Georgia, and the impact of*  
 8           *that industry on the United States.*

9           (7) *The community of Klondike is eligible for*  
 10          *designation as a National Historic District.*

11          (8) *The city of Lithonia has 2 structures listed*  
 12          *on the National Register of Historic Places.*

13          (b) *PURPOSES.—The purposes of this title are as fol-*  
 14          *lows:*

15               (1) *To recognize, preserve, promote, interpret,*  
 16               *and make available for the benefit of the public the*  
 17               *natural, cultural, historical, scenic, and recreational*  
 18               *resources in the area that includes Arabia Mountain,*  
 19               *Panola Mountain, Miners Creek, and other signifi-*  
 20               *cant sites and communities.*

21               (2) *To assist the State of Georgia and the coun-*  
 22               *ties of DeKalb, Rockdale, and Henry in the State in*  
 23               *developing and implementing an integrated cultural,*  
 24               *historical, and land resource management program to*

1       *protect, enhance, and interpret the significant re-*  
 2       *sources within the heritage area.*

3   **SEC. 1202. DEFINITIONS.**

4       *For the purposes of this title, the following definitions*  
 5   *apply:*

6           (1) *HERITAGE AREA.*—*The term “heritage area”*  
 7       *means the Arabia Mountain National Heritage Area*  
 8       *established by section 1203.*

9           (2) *MANAGEMENT ENTITY.*—*The term “manage-*  
 10       *ment entity” means the Arabia Mountain Heritage*  
 11       *Area Alliance or a successor of the Arabia Mountain*  
 12       *Heritage Area Alliance.*

13          (3) *MANAGEMENT PLAN.*—*The term “manage-*  
 14       *ment plan” means the management plan for the her-*  
 15       *itage area developed under section 1205.*

16          (4) *SECRETARY.*—*The term “Secretary” means*  
 17       *the Secretary of the Interior.*

18          (5) *STATE.*—*The term “State” means the State*  
 19       *of Georgia.*

20   **SEC. 1203. ARABIA MOUNTAIN NATIONAL HERITAGE AREA.**

21          (a) *ESTABLISHMENT.*—*There is established the Arabia*  
 22       *Mountain National Heritage Area in the State.*

23          (b) *BOUNDARIES.*—*The heritage area shall consist of*  
 24       *certain parcels of land in the counties of DeKalb, Rockdale,*  
 25       *and Henry in the State, as generally depicted on the map*

1 *entitled “Arabia Mountain National Heritage Area”, num-*  
 2 *bered AMNHA/80,000, and dated October, 2003.*

3 (c) *AVAILABILITY OF MAP.—The map shall be on file*  
 4 *and available for public inspection in the appropriate of-*  
 5 *fices of the National Park Service.*

6 (d) *MANAGEMENT ENTITY.—The Arabia Mountain*  
 7 *Heritage Area Alliance shall be the management entity for*  
 8 *the heritage area.*

9 **SEC. 1204. AUTHORITIES AND DUTIES OF THE MANAGE-**  
 10 **MENT ENTITY.**

11 (a) *AUTHORITIES.—For purposes of developing and*  
 12 *implementing the management plan, the management enti-*  
 13 *ty may—*

14 (1) *make grants to, and enter into cooperative*  
 15 *agreements with, the State, political subdivisions of*  
 16 *the State, and private organizations;*

17 (2) *hire and compensate staff; and*

18 (3) *enter into contracts for goods and services.*

19 (b) *DUTIES.—*

20 (1) *MANAGEMENT PLAN.—*

21 (A) *IN GENERAL.—The management entity*  
 22 *shall develop and submit to the Secretary the*  
 23 *management plan.*

24 (B) *CONSIDERATIONS.—In developing and*  
 25 *implementing the management plan, the man-*

1           *agement entity shall consider the interests of di-*  
 2           *verse governmental, business, and nonprofit*  
 3           *groups within the heritage area.*

4           (2) *PRIORITIES.*—*The management entity shall*  
 5           *give priority to implementing actions described in the*  
 6           *management plan, including assisting units of gov-*  
 7           *ernment and nonprofit organizations in preserving*  
 8           *resources within the heritage area.*

9           (3) *PUBLIC MEETINGS.*—*The management entity*  
 10          *shall conduct public meetings at least quarterly on the*  
 11          *implementation of the management plan.*

12          (4) *ANNUAL REPORT.*—*For any year in which*  
 13          *Federal funds have been made available under this*  
 14          *title, the management entity shall submit to the Sec-*  
 15          *retary an annual report that describes the following:*

16                (A) *The accomplishments of the manage-*  
 17                *ment entity.*

18                (B) *The expenses and income of the man-*  
 19                *agement entity.*

20          (5) *AUDIT.*—*The management entity shall—*

21                (A) *make available to the Secretary for*  
 22                *audit all records relating to the expenditure of*  
 23                *Federal funds and any matching funds; and*

24                (B) *require, with respect to all agreements*  
 25                *authorizing expenditure of Federal funds by*

1           *other organizations, that the receiving organiza-*  
 2           *tions make available to the Secretary for audit*  
 3           *all records concerning the expenditure of those*  
 4           *funds.*

5           *(c) USE OF FEDERAL FUNDS.—*

6           *(1) IN GENERAL.—The management entity shall*  
 7           *not use Federal funds made available under this title*  
 8           *to acquire real property or an interest in real prop-*  
 9           *erty.*

10          *(2) OTHER SOURCES.—Nothing in this title pre-*  
 11          *cludes the management entity from using Federal*  
 12          *funds made available under other Federal laws for*  
 13          *any purpose for which the funds are authorized to be*  
 14          *used.*

15   **SEC. 1205. MANAGEMENT PLAN.**

16          *(a) IN GENERAL.—The management entity shall de-*  
 17          *velop a management plan for the heritage area that incor-*  
 18          *porates an integrated and cooperative approach to protect,*  
 19          *interpret, and enhance the natural, cultural, historical, sce-*  
 20          *nic, and recreational resources of the heritage area.*

21          *(b) BASIS.—The management plan shall be based on*  
 22          *the preferred concept in the document entitled “Arabia*  
 23          *Mountain National Heritage Area Feasibility Study”,*  
 24          *dated February 28, 2001.*

1       (c) *CONSIDERATION OF OTHER PLANS AND AC-*  
 2 *TIONS.—The management plan shall—*

3           (1) *take into consideration State and local plans;*  
 4       *and*

5           (2) *involve residents, public agencies, and pri-*  
 6       *vate organizations in the heritage area.*

7       (d) *REQUIREMENTS.—The management plan shall in-*  
 8 *clude the following:*

9           (1) *An inventory of the resources in the heritage*  
 10 *area, including—*

11           (A) *a list of property in the heritage area*  
 12       *that—*

13           (i) *relates to the purposes of the herit-*  
 14       *age area; and*

15           (ii) *should be preserved, restored, man-*  
 16       *aged, or maintained because of the signifi-*  
 17       *cance of the property; and*

18           (B) *an assessment of cultural landscapes*  
 19       *within the heritage area.*

20           (2) *Provisions for the protection, interpretation,*  
 21 *and enjoyment of the resources of the heritage area*  
 22 *consistent with the purposes of this title.*

23           (3) *An interpretation plan for the heritage area.*

24           (4) *A program for implementation of the man-*  
 25 *agement plan that includes—*

1           (A) actions to be carried out by units of  
 2           government, private organizations, and public-  
 3           private partnerships to protect the resources of  
 4           the heritage area; and

5           (B) the identification of existing and poten-  
 6           tial sources of funding for implementing the  
 7           plan.

8           (5) A description and evaluation of the manage-  
 9           ment entity, including the membership and organiza-  
 10          tional structure of the management entity.

11          (e) *SUBMISSION TO SECRETARY FOR APPROVAL.*—

12           (1) *IN GENERAL.*—Not later than 3 years after  
 13          the date of the enactment of this Act, the management  
 14          entity shall submit the management plan to the Sec-  
 15          retary for approval.

16           (2) *EFFECT OF FAILURE TO SUBMIT.*—If a man-  
 17          agement plan is not submitted to the Secretary by the  
 18          date specified in paragraph (1), the Secretary shall  
 19          not provide any additional funding under this title  
 20          until such date as a management plan for the herit-  
 21          age area is submitted to the Secretary.

22          (f) *APPROVAL AND DISAPPROVAL OF MANAGEMENT*  
 23          *PLAN.*—

24           (1) *IN GENERAL.*—Not later than 90 days after  
 25          receiving the management plan submitted under sub-

1        *section (e), the Secretary, in consultation with the*  
 2        *State, shall approve or disapprove the management*  
 3        *plan.*

4            (2) *ACTION FOLLOWING DISAPPROVAL.—*

5            (A) *REVISION.—If the Secretary dis-*  
 6            *approves a management plan submitted under*  
 7            *paragraph (1), the Secretary shall—*

8                    (i) *advise the management entity in*  
 9                    *writing of the reasons for the disapproval;*

10                   (ii) *make recommendations for revi-*  
 11                   *sions to the management plan; and*

12                   (iii) *allow the management entity to*  
 13                   *submit to the Secretary revisions to the*  
 14                   *management plan.*

15            (B) *DEADLINE FOR APPROVAL OF REVI-*  
 16            *SION.—Not later than 90 days after the date on*  
 17            *which a revision is submitted under subpara-*  
 18            *graph (A)(iii), the Secretary shall approve or*  
 19            *disapprove the revision.*

20            (g) *REVISION OF MANAGEMENT PLAN.—*

21            (1) *IN GENERAL.—After approval by the Sec-*  
 22            *retary of a management plan, the management entity*  
 23            *shall periodically—*

24                    (A) *review the management plan; and*



1           (B) submit to the Secretary, for review and  
 2           approval by the Secretary, the recommendations  
 3           of the management entity for any revisions to  
 4           the management plan that the management enti-  
 5           ty considers to be appropriate.

6           (2) *EXPENDITURE OF FUNDS.*—No funds made  
 7           available under this title shall be used to implement  
 8           any revision proposed by the management entity  
 9           under paragraph (1)(B) until the Secretary approves  
 10          the revision.

11 **SEC. 1206. TECHNICAL AND FINANCIAL ASSISTANCE.**

12          (a) *IN GENERAL.*—At the request of the management  
 13          entity, the Secretary may provide technical and financial  
 14          assistance to the heritage area to develop and implement  
 15          the management plan.

16          (b) *PRIORITY.*—In providing assistance under sub-  
 17          section (a), the Secretary shall give priority to actions that  
 18          facilitate—

19               (1) the conservation of the significant natural,  
 20               cultural, historical, scenic, and recreational resources  
 21               that support the purposes of the heritage area; and

22               (2) the provision of educational, interpretive,  
 23               and recreational opportunities that are consistent  
 24               with the resources and associated values of the herit-  
 25               age area.

1 **SEC. 1207. EFFECT ON CERTAIN AUTHORITY.**

2 (a) *OCCUPATIONAL, SAFETY, CONSERVATION, AND EN-*  
 3 *VIRONMENTAL REGULATION.*—*Nothing in this title—*

4 (1) *imposes an occupational, safety, conserva-*  
 5 *tion, or environmental regulation on the heritage area*  
 6 *that is more stringent than the regulations that would*  
 7 *be applicable to the land described in section 1203(b)*  
 8 *but for the establishment of the heritage area by sec-*  
 9 *tion 1203; or*

10 (2) *authorizes a Federal agency to promulgate*  
 11 *an occupational, safety, conservation, or environ-*  
 12 *mental regulation for the heritage area that is more*  
 13 *stringent than the regulations applicable to the land*  
 14 *described in section 1203(b) as of the date of enact-*  
 15 *ment of this Act, solely as a result of the establish-*  
 16 *ment of the heritage area by section 1203.*

17 (b) *LAND USE REGULATION.*—*Nothing in this title—*

18 (1) *modifies, enlarges, or diminishes any author-*  
 19 *ity of the Federal Government or a State or local gov-*  
 20 *ernment to regulate any use of land as provided for*  
 21 *by law (including regulations) in existence on the*  
 22 *date of enactment of this Act; or*

23 (2) *grants powers of zoning or land use to the*  
 24 *management entity.*

1 **SEC. 1208. REQUIREMENTS FOR INCLUSION OF PRIVATE**  
 2 **PROPERTY.**

3 (a) *NOTIFICATION AND CONSENT OF PROPERTY OWN-*  
 4 *ERS REQUIRED.*—No privately owned property shall be pre-  
 5 served, conserved, or promoted by the management plan for  
 6 the Heritage Area until the owner of that private property  
 7 has been notified in writing by the management entity and  
 8 has given written consent for such preservation, conserva-  
 9 tion, or promotion to the management entity.

10 (b) *LANDOWNER WITHDRAW.*—Any owner of private  
 11 property included within the boundary of the Heritage Area  
 12 shall have their property immediately removed from the  
 13 boundary by submitting a written request to the manage-  
 14 ment entity.

15 **SEC. 1209. PRIVATE PROPERTY PROTECTION.**

16 (a) *ACCESS TO PRIVATE PROPERTY.*—Nothing in this  
 17 title shall be construed to—

18 (1) *require any private property owner to allow*  
 19 *public access (including Federal, State, or local gov-*  
 20 *ernment access) to such private property; or*

21 (2) *modify any provision of Federal, State, or*  
 22 *local law with regard to public access to or use of pri-*  
 23 *ivate property.*

24 (b) *LIABILITY.*—Designation of the Heritage Area  
 25 shall not be considered to create any liability, or to have  
 26 any effect on any liability under any other law, of any pri-

1 vate property owner with respect to any persons injured  
 2 on such private property.

3 (c) *RECOGNITION OF AUTHORITY TO CONTROL LAND*  
 4 *USE.*—Nothing in this title shall be construed to modify  
 5 the authority of Federal, State, or local governments to reg-  
 6 ulate land use.

7 (d) *PARTICIPATION OF PRIVATE PROPERTY OWNERS*  
 8 *IN HERITAGE AREA.*—Nothing in this title shall be con-  
 9 strued to require the owner of any private property located  
 10 within the boundaries of the Heritage Area to participate  
 11 in or be associated with the Heritage Area.

12 (e) *EFFECT OF ESTABLISHMENT.*—The boundaries  
 13 designated for the Heritage Area represent the area within  
 14 which Federal funds appropriated for the purpose of this  
 15 title may be expended. The establishment of the Heritage  
 16 Area and its boundaries shall not be construed to provide  
 17 any nonexisting regulatory authority on land use within  
 18 the Heritage Area or its viewshed by the Secretary, the Na-  
 19 tional Park Service, or the management entity.

20 **SEC. 1210. AUTHORIZATION OF APPROPRIATIONS.**

21 (a) *IN GENERAL.*—There is authorized to be appro-  
 22 priated to carry out this title \$10,000,000, to remain avail-  
 23 able until expended, of which not more than \$1,000,000  
 24 may be used in any fiscal year.

1       (b) *FEDERAL SHARE.*—*The Federal share of the cost*  
 2 *of any project or activity carried out using funds made*  
 3 *available under this title shall not exceed 50 percent.*

4 **SEC. 1211. TERMINATION OF AUTHORITY.**

5       *The authority of the Secretary to make any grant or*  
 6 *provide any assistance under this title shall terminate on*  
 7 *September 30, 2016.*

8 **TITLE XIII—UPPER HOUSATONIC**  
 9 **VALLEY NATIONAL HERITAGE**  
 10 **AREA**

11 **SEC. 1301. FINDINGS AND PURPOSES.**

12       (a) *FINDINGS.*—*Congress finds the following:*

13               (1) *The upper Housatonic Valley, encompassing*  
 14 *29 towns in the hilly terrain of western Massachusetts*  
 15 *and northwestern Connecticut, is a singular geo-*  
 16 *graphical and cultural region that has made signifi-*  
 17 *cant national contributions through its literary, artis-*  
 18 *tic, musical, and architectural achievements, its iron,*  
 19 *paper, and electrical equipment industries, and its*  
 20 *scenic beautification and environmental conservation*  
 21 *efforts.*

22               (2) *The upper Housatonic Valley has 139 prop-*  
 23 *erties and historic districts listed on the National*  
 24 *Register of Historic Places including—*

25                       (A) *five National Historic Landmarks—*

1                   (i) *Edith Wharton's home, The Mount,*  
2                   *Lenox, Massachusetts;*

3                   (ii) *Herman Melville's home, Arrow-*  
4                   *head, Pittsfield, Massachusetts;*

5                   (iii) *W.E.B. DuBois' Boyhood Home-*  
6                   *site, Great Barrington, Massachusetts;*

7                   (iv) *Mission House, Stockbridge, Mas-*  
8                   *sachusetts; and*

9                   (v) *Crane and Company Old Stone*  
10                  *Mill Rag Room, Dalton, Massachusetts; and*

11                 (B) *four National Natural Landmarks—*

12                 (i) *Bartholomew's Cobble, Sheffield,*  
13                 *Massachusetts, and Salisbury, Connecticut;*

14                 (ii) *Beckley Bog, Norfolk, Connecticut;*

15                 (iii) *Bingham Bog, Salisbury, Con-*  
16                 *necticut; and*

17                 (iv) *Cathedral Pines, Cornwall, Con-*  
18                 *necticut.*

19                 (3) *Writers, artists, musicians, and vacationers*  
20                 *have visited the region for more than 150 years to*  
21                 *enjoy its scenic wonders, making it one of the coun-*  
22                 *try's leading cultural resorts.*

23                 (4) *The upper Housatonic Valley has made sig-*  
24                 *nificant national cultural contributions through such*  
25                 *writers as Herman Melville, Nathaniel Hawthorne,*

1     *Edith Wharton, and W.E.B. DuBois, artists Daniel*  
 2     *Chester French and Norman Rockwell, and the per-*  
 3     *forming arts centers of Tanglewood, Music Mountain,*  
 4     *Norfolk (Connecticut) Chamber Music Festival, Ja-*  
 5     *cob's Pillow, and Shakespeare & Company.*

6             (5) *The upper Housatonic Valley is noted for its*  
 7     *pioneering achievements in the iron, paper, and elec-*  
 8     *trical generation industries and has cultural resources*  
 9     *to interpret those industries.*

10            (6) *The region became a national leader in sce-*  
 11    *nic beautification and environmental conservation ef-*  
 12    *forts following the era of industrialization and defor-*  
 13    *estation and maintains a fabric of significant con-*  
 14    *servation areas including the meandering Housatonic*  
 15    *River.*

16            (7) *Important historical events related to the*  
 17    *American Revolution, Shays' Rebellion, and early*  
 18    *civil rights took place in the upper Housatonic Val-*  
 19    *ley.*

20            (8) *The region had an American Indian presence*  
 21    *going back 10,000 years and Mohicans had a forma-*  
 22    *tive role in contact with Europeans during the seven-*  
 23    *teenth and eighteenth centuries.*

24            (9) *The Upper Housatonic Valley National Her-*  
 25    *itage Area has been proposed in order to heighten ap-*

1        *preciation of the region, preserve its natural and his-*  
 2        *torical resources, and improve the quality of life and*  
 3        *economy of the area.*

4        *(b) PURPOSES.—The purposes of this title are as fol-*  
 5        *lows:*

6                *(1) To establish the Upper Housatonic Valley*  
 7        *National Heritage Area in the State of Connecticut*  
 8        *and the Commonwealth of Massachusetts.*

9                *(2) To implement the national heritage area al-*  
 10        *ternative as described in the document entitled*  
 11        *“Upper Housatonic Valley National Heritage Area*  
 12        *Feasibility Study, 2003”.*

13                *(3) To provide a management framework to fos-*  
 14        *ter a close working relationship with all levels of gov-*  
 15        *ernment, the private sector, and the local communities*  
 16        *in the upper Housatonic Valley region to conserve the*  
 17        *region’s heritage while continuing to pursue compat-*  
 18        *ible economic opportunities.*

19                *(4) To assist communities, organizations, and*  
 20        *citizens in the State of Connecticut and the Common-*  
 21        *wealth of Massachusetts in identifying, preserving, in-*  
 22        *terpreting, and developing the historical, cultural, sce-*  
 23        *nic, and natural resources of the region for the edu-*  
 24        *cational and inspirational benefit of current and fu-*  
 25        *ture generations.*



1 **SEC. 1302. DEFINITIONS.**

2 *In this title:*

3 (1) *HERITAGE AREA.*—The term “Heritage  
4 Area” means the Upper Housatonic Valley National  
5 Heritage Area, established in section 1303.

6 (2) *MANAGEMENT ENTITY.*—The term “Manage-  
7 ment Entity” means the management entity for the  
8 Heritage Area designated by section 1303(d).

9 (3) *MANAGEMENT PLAN.*—The term “Manage-  
10 ment Plan” means the management plan for the Her-  
11 itage Area specified in section 1305.

12 (4) *MAP.*—The term “map” means the map enti-  
13 tled “Boundary Map Upper Housatonic Valley Na-  
14 tional Heritage Area”, numbered P17/80,000, and  
15 dated February 2003.

16 (5) *SECRETARY.*—The term “Secretary” means  
17 the Secretary of the Interior.

18 (6) *STATE.*—The term “State” means the State  
19 of Connecticut and the Commonwealth of Massachu-  
20 setts.

21 **SEC. 1303. UPPER HOUSATONIC VALLEY NATIONAL HERIT-**  
22 **AGE AREA.**

23 (a) *ESTABLISHMENT.*—There is established the Upper  
24 Housatonic Valley National Heritage Area.

25 (b) *BOUNDARIES.*—The Heritage Area shall be com-  
26 prised of—

1           (1) *part of the Housatonic River's watershed,*  
 2           *which extends 60 miles from Lanesboro, Massachusetts*  
 3           *to Kent, Connecticut;*

4           (2) *the towns of Canaan, Colebrook, Cornwall,*  
 5           *Kent, Norfolk, North Canaan, Salisbury, Sharon, and*  
 6           *Warren in Connecticut; and*

7           (3) *the towns of Alford, Becket, Dalton,*  
 8           *Egremont, Great Barrington, Hancock, Hinsdale,*  
 9           *Lanesboro, Lee, Lenox, Monterey, Mount Washington,*  
 10          *New Marlboro, Pittsfield, Richmond, Sheffield, Stock-*  
 11          *bridge, Tyringham, Washington, and West Stock-*  
 12          *bridge in Massachusetts.*

13          (c) *AVAILABILITY OF MAP.—The map shall be on file*  
 14          *and available for public inspection in the appropriate of-*  
 15          *fices of the National Park Service, Department of the Inte-*  
 16          *rior.*

17          (d) *MANAGEMENT ENTITY.—The Upper Housatonic*  
 18          *Valley National Heritage Area, Inc. shall be the manage-*  
 19          *ment entity for the Heritage Area.*

20          **SEC. 1304. AUTHORITIES, PROHIBITIONS AND DUTIES OF**  
 21                                   **THE MANAGEMENT ENTITY.**

22          (a) *DUTIES OF THE MANAGEMENT ENTITY.—To fur-*  
 23          *ther the purposes of the Heritage Area, the management en-*  
 24          *tity shall—*

1           (1) *prepare and submit a management plan for*  
 2           *the Heritage Area to the Secretary in accordance with*  
 3           *section 1305;*

4           (2) *assist units of local government, regional*  
 5           *planning organizations, and nonprofit organizations*  
 6           *in implementing the approved management plan*  
 7           *by—*

8                   (A) *carrying out programs and projects*  
 9                   *that recognize, protect and enhance important*  
 10                  *resource values within the Heritage Area;*

11                  (B) *establishing and maintaining interpre-*  
 12                  *tive exhibits and programs within the Heritage*  
 13                  *Area;*

14                  (C) *developing recreational and educational*  
 15                  *opportunities in the Heritage Area;*

16                  (D) *increasing public awareness of and ap-*  
 17                  *preciation for natural, historical, scenic, and*  
 18                  *cultural resources of the Heritage Area;*

19                  (E) *protecting and restoring historic sites*  
 20                  *and buildings in the Heritage Area that are con-*  
 21                  *sistent with heritage area themes;*

22                  (F) *ensuring that signs identifying points*  
 23                  *of public access and sites of interest are posted*  
 24                  *throughout the Heritage Area; and*

1           (G) promoting a wide range of partnerships  
 2           among governments, organizations and individ-  
 3           uals to further the purposes of the Heritage Area;

4           (3) consider the interests of diverse units of gov-  
 5           ernment, businesses, organizations and individuals in  
 6           the Heritage Area in the preparation and implemen-  
 7           tation of the management plan;

8           (4) conduct meetings open to the public at least  
 9           semi-annually regarding the development and imple-  
 10          mentation of the management plan;

11          (5) submit an annual report to the Secretary for  
 12          any fiscal year in which the management entity re-  
 13          ceives Federal funds under this title, setting forth its  
 14          accomplishments, expenses, and income, including  
 15          grants to any other entities during the year for which  
 16          the report is made;

17          (6) make available for audit for any fiscal year  
 18          in which it receives Federal funds under this title, all  
 19          information pertaining to the expenditure of such  
 20          funds and any matching funds, and require in all  
 21          agreements authorizing expenditures of Federal funds  
 22          by other organizations, that the receiving organiza-  
 23          tions make available for such audit all records and  
 24          other information pertaining to the expenditure of  
 25          such funds; and

1           (7) *encourage by appropriate means economic*  
 2           *development that is consistent with the purposes of*  
 3           *the Heritage Area.*

4           (b) *AUTHORITIES.*—*The management entity may, for*  
 5           *the purposes of preparing and implementing the manage-*  
 6           *ment plan for the Heritage Area, use Federal funds made*  
 7           *available through this title to—*

8           (1) *make grants to the State of Connecticut and*  
 9           *the Commonwealth of Massachusetts, their political*  
 10           *subdivisions, nonprofit organizations and other per-*  
 11           *sons;*

12           (2) *enter into cooperative agreements with or*  
 13           *provide technical assistance to the State of Con-*  
 14           *necticut and the Commonwealth of Massachusetts,*  
 15           *their subdivisions, nonprofit organizations, and other*  
 16           *interested parties;*

17           (3) *hire and compensate staff, which shall in-*  
 18           *clude individuals with expertise in natural, cultural,*  
 19           *and historical resources protection, and heritage pro-*  
 20           *gramming;*

21           (4) *obtain money or services from any source in-*  
 22           *cluding any that are provided under any other Fed-*  
 23           *eral law or program;*

24           (5) *contract for goods or services; and*

1           (6) *undertake to be a catalyst for any other ac-*  
 2           *tivity that furthers the purposes of the Heritage Area*  
 3           *and is consistent with the approved management*  
 4           *plan.*

5           (c) *PROHIBITIONS ON THE ACQUISITION OF REAL*  
 6           *PROPERTY.—The management entity may not use Federal*  
 7           *funds received under this title to acquire real property, but*  
 8           *may use any other source of funding, including other Fed-*  
 9           *eral funding outside this authority, intended for the acqui-*  
 10          *sition of real property.*

11   **SEC. 1305. MANAGEMENT PLAN.**

12          (a) *IN GENERAL.—The management plan for the Her-*  
 13          *itage Area shall—*

14               (1) *include comprehensive policies, strategies and*  
 15               *recommendations for conservation, funding, manage-*  
 16               *ment and development of the Heritage Area;*

17               (2) *take into consideration existing State, coun-*  
 18               *ty, and local plans in the development of the manage-*  
 19               *ment plan and its implementation;*

20               (3) *include a description of actions that govern-*  
 21               *ments, private organizations, and individuals have*  
 22               *agreed to take to protect the natural, historical and*  
 23               *cultural resources of the Heritage Area;*

1           (4) *specify the existing and potential sources of*  
 2           *funding to protect, manage, and develop the Heritage*  
 3           *Area in the first 5 years of implementation;*

4           (5) *include an inventory of the natural, histor-*  
 5           *ical, cultural, educational, scenic, and recreational re-*  
 6           *sources of the Heritage Area related to the themes of*  
 7           *the Heritage Area that should be preserved, restored,*  
 8           *managed, developed, or maintained;*

9           (6) *describe a program of implementation for the*  
 10          *management plan including plans for resource protec-*  
 11          *tion, restoration, construction, and specific commit-*  
 12          *ments for implementation that have been made by the*  
 13          *management entity or any government, organization,*  
 14          *or individual for the first 5 years of implementation;*  
 15          *and*

16          (7) *include an interpretive plan for the Heritage*  
 17          *Area.*

18          (b) *DEADLINE AND TERMINATION OF FUNDING.—*

19           (1) *DEADLINE.—The management entity shall*  
 20           *submit the management plan to the Secretary for ap-*  
 21           *proval within 3 years after funds are made available*  
 22           *for this title.*

23           (2) *TERMINATION OF FUNDING.—If the manage-*  
 24           *ment plan is not submitted to the Secretary in ac-*  
 25           *cordance with this subsection, the management entity*

1        *shall not qualify for Federal funding under this title*  
 2        *until such time as the management plan is submitted*  
 3        *to the Secretary.*

4    **SEC. 1306. DUTIES AND AUTHORITIES OF THE SECRETARY.**

5        (a) *TECHNICAL AND FINANCIAL ASSISTANCE.*—*The*  
 6        *Secretary may, upon the request of the management entity,*  
 7        *provide technical assistance on a reimbursable or non-reim-*  
 8        *bursable basis and financial assistance to the Heritage Area*  
 9        *to develop and implement the approved management plan.*  
 10       *The Secretary is authorized to enter into cooperative agree-*  
 11       *ments with the management entity and other public or pri-*  
 12       *vate entities for this purpose. In assisting the Heritage*  
 13       *Area, the Secretary shall give priority to actions that in*  
 14       *general assist in—*

15                (1) *conserving the significant natural, historical,*  
 16                *cultural, and scenic resources of the Heritage Area;*  
 17                *and*

18                (2) *providing educational, interpretive, and rec-*  
 19                *reational opportunities consistent with the purposes of*  
 20                *the Heritage Area.*

21        (b) *APPROVAL AND DISAPPROVAL OF MANAGEMENT*  
 22        *PLAN.*—

23                (1) *IN GENERAL.*—*The Secretary shall approve*  
 24                *or disapprove the management plan not later than 90*  
 25                *days after receiving the management plan.*



1           (2) *CRITERIA FOR APPROVAL.*—*In determining*  
 2           *the approval of the management plan, the Secretary*  
 3           *shall consider whether—*

4                   (A) *the management entity is representative*  
 5                   *of the diverse interests of the Heritage Area in-*  
 6                   *cluding governments, natural and historic re-*  
 7                   *source protection organizations, educational in-*  
 8                   *stitutions, businesses, and recreational organiza-*  
 9                   *tions;*

10                  (B) *the management entity has afforded*  
 11                  *adequate opportunity, including public hearings,*  
 12                  *for public and governmental involvement in the*  
 13                  *preparation of the management plan;*

14                  (C) *the resource protection and interpreta-*  
 15                  *tion strategies contained in the management*  
 16                  *plan, if implemented, would adequately protect*  
 17                  *the natural, historical, and cultural resources of*  
 18                  *the Heritage Area; and*

19                  (D) *the management plan is supported by*  
 20                  *the appropriate State and local officials whose*  
 21                  *cooperation is needed to ensure the effective im-*  
 22                  *plementation of the State and local aspects of the*  
 23                  *management plan.*

24           (3) *ACTION FOLLOWING DISAPPROVAL.*—*If the*  
 25           *Secretary disapproves the management plan, the Sec-*

1        *retary shall advise the management entity in writing*  
 2        *of the reasons therefore and shall make recommenda-*  
 3        *tions for revisions to the management plan. The Sec-*  
 4        *retary shall approve or disapprove a proposed revi-*  
 5        *sion within 60 days after the date it is submitted.*

6            (4) *APPROVAL OF AMENDMENTS.*—*Substantial*  
 7        *amendments to the management plan shall be re-*  
 8        *viewed by the Secretary and approved in the same*  
 9        *manner as provided for the original management*  
 10       *plan. The management entity shall not use Federal*  
 11       *funds authorized by this title to implement any*  
 12       *amendments until the Secretary has approved the*  
 13       *amendments.*

14    **SEC. 1307. DUTIES OF OTHER FEDERAL AGENCIES.**

15        *Any Federal agency conducting or supporting activi-*  
 16       *ties directly affecting the Heritage Area shall—*

17            (1) *consult with the Secretary and the manage-*  
 18        *ment entity with respect to such activities;*

19            (2) *cooperate with the Secretary and the man-*  
 20        *agement entity in carrying out their duties under this*  
 21        *title and, to the maximum extent practicable, coordi-*  
 22        *nate such activities with the carrying out of such du-*  
 23        *ties; and,*

24            (3) *to the maximum extent practicable, conduct*  
 25        *or support such activities in a manner which the*

1        *management entity determines will not have an ad-*  
 2        *verse effect on the Heritage Area.*

3        **SEC. 1308. REQUIREMENTS FOR INCLUSION OF PRIVATE**  
 4        **PROPERTY.**

5        (a) *NOTIFICATION AND CONSENT OF PROPERTY OWN-*  
 6        *ERS REQUIRED.*—*No privately owned property shall be pre-*  
 7        *served, conserved, or promoted by the management plan for*  
 8        *the Heritage Area until the owner of that private property*  
 9        *has been notified in writing by the management entity and*  
 10       *has given written consent for such preservation, conserva-*  
 11       *tion, or promotion to the management entity.*

12       (b) *LANDOWNER WITHDRAW.*—*Any owner of private*  
 13       *property included within the boundary of the Heritage Area*  
 14       *shall have their property immediately removed from the*  
 15       *boundary by submitting a written request to the manage-*  
 16       *ment entity.*

17       **SEC. 1309. PRIVATE PROPERTY PROTECTION.**

18       (a) *ACCESS TO PRIVATE PROPERTY.*—*Nothing in this*  
 19       *title shall be construed to—*

20                (1) *require any private property owner to allow*  
 21        *public access (including Federal, State, or local gov-*  
 22        *ernment access) to such private property; or*

23                (2) *modify any provision of Federal, State, or*  
 24        *local law with regard to public access to or use of pri-*  
 25        *ivate property.*

1       (b) *LIABILITY.—Designation of the Heritage Area*  
 2 *shall not be considered to create any liability, or to have*  
 3 *any effect on any liability under any other law, of any pri-*  
 4 *ate property owner with respect to any persons injured*  
 5 *on such private property.*

6       (c) *RECOGNITION OF AUTHORITY TO CONTROL LAND*  
 7 *USE.—Nothing in this title shall be construed to modify*  
 8 *the authority of Federal, State, or local governments to reg-*  
 9 *ulate land use.*

10       (d) *PARTICIPATION OF PRIVATE PROPERTY OWNERS*  
 11 *IN HERITAGE AREA.—Nothing in this title shall be con-*  
 12 *strued to require the owner of any private property located*  
 13 *within the boundaries of the Heritage Area to participate*  
 14 *in or be associated with the Heritage Area.*

15       (e) *EFFECT OF ESTABLISHMENT.—The boundaries*  
 16 *designated for the Heritage Area represent the area within*  
 17 *which Federal funds appropriated for the purpose of this*  
 18 *title may be expended. The establishment of the Heritage*  
 19 *Area and its boundaries shall not be construed to provide*  
 20 *any nonexisting regulatory authority on land use within*  
 21 *the Heritage Area or its viewshed by the Secretary, the Na-*  
 22 *tional Park Service, or the management entity.*

23 **SEC. 1310. AUTHORIZATION OF APPROPRIATIONS.**

24       (a) *IN GENERAL.—There is authorized to be appro-*  
 25 *priated for the purposes of this title not more than*

1 \$1,000,000 for any fiscal year. Not more than a total of  
 2 \$10,000,000 may be appropriated for the Heritage Area  
 3 under this title.

4 (b) *MATCHING FUNDS.*—Federal funding provided  
 5 under this title may not exceed 50 percent of the total cost  
 6 of any assistance or grant provided or authorized under this  
 7 title.

8 **SEC. 1311. SUNSET.**

9 The authority of the Secretary to provide assistance  
 10 under this title shall terminate on the day occurring 15  
 11 years after funds are first made available for this title.

12 **TITLE XIV—PACTOLA RES-**  
 13 **ERVOIR REALLOCATION AU-**  
 14 **THORIZATION ACT OF 2004**

15 **SEC. 1401. SHORT TITLE.**

16 This title may be cited as the “Pactola Reservoir Re-  
 17 allocation Authorization Act of 2004”.

18 **SEC. 1402. FINDINGS.**

19 Congress finds that—

20 (1) it is appropriate to reallocate the costs of the  
 21 Pactola Dam and Reservoir, South Dakota, to reflect  
 22 increased demands for municipal, industrial, and fish  
 23 and wildlife purposes; and

1           (2) *section 302 of the Department of Energy Or-*  
 2           *ganization Act (42 U.S.C. 7152) prohibits such a re-*  
 3           *allocation of costs without congressional approval.*

4   **SEC. 1403. REALLOCATION OF COSTS OF PACTOLA DAM AND**  
 5           **RESERVOIR, SOUTH DAKOTA.**

6           *The Secretary of the Interior may, as provided in the*  
 7           *contract of August 2001 entered into between Rapid City,*  
 8           *South Dakota, and the Rapid Valley Conservancy District,*  
 9           *reallocate, in a manner consistent with Federal reclamation*  
 10          *law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093),*  
 11          *and Acts supplemental to and amendatory of that Act (43*  
 12          *U.S.C. 371 et seq.)), the construction costs of Pactola Dam*  
 13          *and Reservoir, Rapid Valley Unit, Pick-Sloan Missouri*  
 14          *Basin Program, South Dakota, from irrigation purposes to*  
 15          *municipal, industrial, and fish and wildlife purposes.*

16       **TITLE XV—GULLAH/GEECHEE**  
 17               **CULTURAL HERITAGE**

18   **SEC. 1501. SHORT TITLE.**

19           *This title may be cited as the “Gullah/Geechee Cultural*  
 20           *Heritage Act”.*

21   **SEC. 1502. PURPOSES.**

22           *The purposes of this title are to—*

23           (1) *recognize the important contributions made*  
 24           *to American culture and history by African-Ameri-*

1        *cans known as the Gullah/Geechee who settled in the*  
 2        *coastal counties of South Carolina and Georgia;*

3            *(2) assist State and local governments and pub-*  
 4        *lic and private entities in the South Carolina and*  
 5        *Georgia in interpreting the story of the Gullah/*  
 6        *Geechee and preserving Gullah/Geechee folklore, arts,*  
 7        *crafts, and music; and*

8            *(3) assist in identifying and preserving sites,*  
 9        *historical data, artifacts, and objects associated with*  
 10       *the Gullah/Geechee for the benefit and education of the*  
 11       *public.*

12    **SEC. 1503. DEFINITIONS.**

13        *For the purposes of this title, the following definitions*  
 14       *apply:*

15            *(1) COMMISSION.—The term “Commission”*  
 16        *means the Gullah/Geechee Cultural Heritage Corridor*  
 17        *Commission established under this title.*

18            *(2) HERITAGE CORRIDOR.—The term “Heritage*  
 19        *Corridor” means the Gullah/Geechee Cultural Herit-*  
 20        *age Corridor established by this title.*

21            *(3) SECRETARY.—The term “Secretary” means*  
 22        *the Secretary of the Interior.*

1 **SEC. 1504. GULLAH/GEECHEE CULTURAL HERITAGE COR-**  
 2 **RIDOR.**

3 (a) *ESTABLISHMENT.*—*There is established the Gullah/*  
 4 *Geechee Cultural Heritage Corridor.*

5 (b) *BOUNDARIES.*—

6 (1) *IN GENERAL.*—*The Heritage Corridor shall*  
 7 *be comprised of those lands and waters generally de-*  
 8 *picted on a map entitled “Gullah/Geechee Cultural*  
 9 *Heritage Corridor” numbered GGCHC/80,000, and*  
 10 *dated September 2004. The map shall be on file and*  
 11 *available for public inspection in the appropriate of-*  
 12 *fices of the National Park Service and in an appro-*  
 13 *priate State office in each of the States included in*  
 14 *the Heritage Corridor. The Secretary shall publish in*  
 15 *the Federal Register, as soon as practicable after the*  
 16 *date of enactment of this Act a detailed description*  
 17 *and map of the boundaries established under this sub-*  
 18 *section.*

19 (2) *REVISIONS.*—*The boundaries of the heritage*  
 20 *corridor may be revised if the revision is—*

21 (A) *proposed in the management plan de-*  
 22 *veloped for the Heritage Corridor;*

23 (B) *approved by the Secretary in accord-*  
 24 *ance with this title; and*

25 (C) *placed on file in accordance with para-*  
 26 *graph (1).*



1       (c) *ADMINISTRATION.*—*The Heritage Corridor shall be*  
 2       *administered in accordance with the provisions of this title.*

3       **SEC. 1505. GULLAH/GEECHEE CULTURAL HERITAGE COR-**  
 4       **RIDOR COMMISSION.**

5       (a) *ESTABLISHMENT.*—*There is hereby established a*  
 6       *commission to be known as “Gullah/Geechee Cultural Herit-*  
 7       *age Corridor Commission” whose purpose shall be to assist*  
 8       *Federal, State, and local authorities in the development and*  
 9       *implementation of a management plan for those land and*  
 10       *waters specified in section 1504.*

11       (b) *MEMBERSHIP.*—*The Commission shall be com-*  
 12       *posed of nine members appointed by the Secretary as fol-*  
 13       *lows:*

14               (1) *Four individuals nominated by the State*  
 15       *Historic Preservation Officer of South Carolina and*  
 16       *two individuals nominated by the State Historic*  
 17       *Preservation Officer of Georgia and appointed by the*  
 18       *Secretary.*

19               (2) *Two individuals from South Carolina and*  
 20       *one individual from Georgia who are recognized ex-*  
 21       *perts in historic preservation, anthropology, and folk-*  
 22       *lore, appointed by the Secretary.*

23       (c) *TERMS.*—*Members of the Commission shall be ap-*  
 24       *pointed to terms not to exceed 3 years. The Secretary may*  
 25       *stagger the terms of the initial appointments to the Com-*

1 mission in order to assure continuity of operation. Any  
 2 member of the Commission may serve after the expiration  
 3 of their term until a successor is appointed. A vacancy shall  
 4 be filled in the same manner in which the original appoint-  
 5 ment was made.

6 (d) *TERMINATION.*—The Commission shall terminate  
 7 10 years after the date of enactment of this Act.

8 **SEC. 1506. OPERATION OF THE COMMISSION.**

9 (a) *DUTIES OF THE COMMISSION.*—To further the pur-  
 10 poses of the Heritage Corridor, the Commission shall—

11 (1) prepare and submit a management plan to  
 12 the Secretary in accordance with section 1507;

13 (2) assist units of local government and other  
 14 persons in implementing the Approved management  
 15 plan by—

16 (A) carry out programs and projects that  
 17 recognize, protect, and enhance important re-  
 18 source values within the Heritage Corridor;

19 (B) establishing and maintaining interpre-  
 20 tive exhibits and programs within the Heritage  
 21 Corridor;

22 (C) developing recreational and educational  
 23 opportunities in the Heritage Corridor;

1           (D) increasing public awareness of and ap-  
 2           preciation for the historical, cultural, natural,  
 3           and scenic resources of the Heritage Corridor;

4           (E) protecting and restoring historic sites  
 5           and buildings in the Heritage Corridor that are  
 6           consistent with heritage corridor themes;

7           (F) ensuring that clear, consistent, and ap-  
 8           propriate signs identifying points of public ac-  
 9           cess and sites of interest are posted throughout  
 10          the Heritage Corridor; and

11          (G) promoting a wide range of partnerships  
 12          among governments, organizations, and individ-  
 13          uals to further the purposes of the Heritage Cor-  
 14          ridor;

15          (3) consider the interests of diverse units of gov-  
 16          ernment, business, organizations, and individuals in  
 17          the Heritage Corridor in the preparation and imple-  
 18          mentation of the management plan;

19          (4) conduct meetings open to the public at least  
 20          quarterly regarding the development and implementa-  
 21          tion of the management plan;

22          (5) submit an annual report to the Secretary for  
 23          any fiscal year in which the Commission receives  
 24          Federal funds under this title, setting forth its accom-  
 25          plishments, expenses, and income, including grants

1       *made to any other entities during the year for which*  
 2       *the report is made;*

3               *(6) make available for audit for any fiscal year*  
 4       *in which it receives Federal funds under this title, all*  
 5       *information pertaining to the expenditure of such*  
 6       *funds and any matching funds, and require all agree-*  
 7       *ments authorizing expenditures of Federal funds by*  
 8       *other organizations, that the receiving organization*  
 9       *make available for audit all records and other infor-*  
 10       *mation pertaining to the expenditure of such funds;*  
 11       *and*

12               *(7) encourage by appropriate means economic*  
 13       *viability that is consistent with the purposes of the*  
 14       *Heritage Corridor.*

15       **(b) AUTHORITIES.**—*The Commission may, for the pur-*  
 16       *poses of preparing and implementing the management*  
 17       *plan, use funds made available under this title to—*

18               *(1) make grants to, and enter into cooperative*  
 19       *agreements with the States of South Carolina and*  
 20       *Georgia, political subdivisions of those States, a non-*  
 21       *profit organization, or any person;*

22               *(2) hire and compensate staff;*

23               *(3) obtain funds from any source including any*  
 24       *that are provided under any other Federal law or*  
 25       *program; and*

1           (4) *contract for goods and services.*

2   **SEC. 1507. MANAGEMENT PLAN.**

3           (a) *IN GENERAL.*—*The management plan for the Her-*  
4 *itage Corridor shall—*

5           (1) *include comprehensive policies, strategies,*  
6 *and recommendations for conservation, funding, man-*  
7 *agement, and development of the Heritage Corridor;*

8           (2) *take into consideration existing State, coun-*  
9 *ty, and local plans in the development of the manage-*  
10 *ment plan and its implementation;*

11          (3) *include a description of actions that govern-*  
12 *ments, private organizations, and individuals have*  
13 *agreed to take to protect the historical, cultural, and*  
14 *natural resources of the Heritage Corridor;*

15          (4) *specify the existing and potential sources of*  
16 *funding to protect, manage, and develop the Heritage*  
17 *Corridor in the first 5 years of implementation;*

18          (5) *include an inventory of the historical, cul-*  
19 *tural, natural, resources of the Heritage Corridor re-*  
20 *lated to the themes of the Heritage Corridor that*  
21 *should be preserved, restored, managed, developed, or*  
22 *maintained;*

23          (6) *recommend policies and strategies for re-*  
24 *source management that consider and detail the ap-*  
25 *plication of appropriate land and water management*

1        *techniques, including the development of intergovern-*  
 2        *mental and interagency cooperative agreements to*  
 3        *protect the Heritage Corridor's historical, cultural,*  
 4        *and natural resources;*

5            *(7) describe a program for implementation of the*  
 6        *management plan including plans for resources pro-*  
 7        *tection, restoration, construction, and specific com-*  
 8        *mitments for implementation that have been made by*  
 9        *the Commission or any government, organization, or*  
 10       *individual for the first 5 years of implementation;*

11           *(8) include an analysis and recommendations for*  
 12        *the ways in which Federal, State, or local programs*  
 13        *may best be coordinated to further the purposes of this*  
 14        *title; and*

15           *(9) include an interpretive plan for the Heritage*  
 16        *Corridor.*

17        *(b) SUBMITTAL OF MANAGEMENT PLAN.—The Com-*  
 18        *mission shall submit the management plan to the Secretary*  
 19        *for approval not later than 3 years after funds are made*  
 20        *available for this title.*

21        *(c) FAILURE TO SUBMIT.—If the Commission fails to*  
 22        *submit the management plan to the Secretary in accordance*  
 23        *with subsection (b), the Heritage Corridor shall not qualify*  
 24        *for Federal funding until the management plan is sub-*  
 25        *mitted.*

1       (d) *APPROVAL OR DISAPPROVAL OF MANAGEMENT*  
 2 *PLAN.*—

3           (1) *IN GENERAL.*—*The Secretary shall approve*  
 4 *or disapprove the management plan not later than 90*  
 5 *days after receiving the management plan.*

6           (2) *CRITERIA.*—*In determining whether to ap-*  
 7 *prove the management plan, the Secretary shall con-*  
 8 *sider whether—*

9               (A) *the Commission has afforded adequate*  
 10 *opportunity, including public hearings, for pub-*  
 11 *lic and governmental involvement in the prepa-*  
 12 *ration of the management plan;*

13               (B) *the resource preservation and interpre-*  
 14 *tation strategies contained in the management*  
 15 *plan would adequately protect the cultural and*  
 16 *historic resources of the Heritage Corridor; and*

17               (C) *the Secretary has received adequate as-*  
 18 *surances from appropriate State and local offi-*  
 19 *cials whose support is needed to ensure the effec-*  
 20 *tive implementation of the State and local as-*  
 21 *pects of the plan.*

22           (3) *ACTION FOLLOWING DISAPPROVAL.*—*If the*  
 23 *Secretary disapproves the management plan, the Sec-*  
 24 *retary shall advise the Commission in writing of the*  
 25 *reasons therefore and shall make recommendations for*

1        *revisions to the management plan. The Secretary*  
 2        *shall approve or disapprove a proposed revision not*  
 3        *later than 60 days after the date it is submitted.*

4            (4) *APPROVAL OF AMENDMENTS.—Substantial*  
 5        *amendments to the management plan shall be re-*  
 6        *viewed and approved by the Secretary in the same*  
 7        *manner as provided in the original management*  
 8        *plan. The Commission shall not use Federal funds au-*  
 9        *thorized by this title to implement any amendments*  
 10       *until the Secretary has approved the amendments.*

11    **SEC. 1508. TECHNICAL AND FINANCIAL ASSISTANCE.**

12        (a) *IN GENERAL.—Upon a request of the Commission,*  
 13        *the Secretary may provide technical and financial assist-*  
 14        *ance for the development and implementation of the man-*  
 15        *agement plan.*

16        (b) *PRIORITY FOR ASSISTANCE.—In providing assist-*  
 17        *ance under subsection (a), the Secretary shall give priority*  
 18        *to actions that assist in—*

19            (1) *conserving the significant cultural, historical,*  
 20        *and natural resources of the Heritage Corridor; and*

21            (2) *providing educational and interpretive op-*  
 22        *portunities consistent with the purposes of the Herit-*  
 23        *age Corridor.*

24        (c) *SPENDING FOR NON-FEDERAL PROPERTY.—*



1           (1) *IN GENERAL.*—*The Commission may expend*  
 2           *Federal funds made available under this title on non-*  
 3           *federally owned property that is—*

4                     (A) *identified in the management plan; or*  
 5                     (B) *listed or eligible for listing on the Na-*  
 6           *tional Register for Historic Places.*

7           (2) *AGREEMENTS.*—*Any payment of Federal*  
 8           *funds made pursuant to this title shall be subject to*  
 9           *an agreement that conversion, use, or disposal of a*  
 10          *project so assisted for purposes contrary to the pur-*  
 11          *poses of this title, as determined by the Secretary,*  
 12          *shall result in a right of the United States to com-*  
 13          *pensation of all funds made available to that project*  
 14          *or the proportion of the increased value of the project*  
 15          *attributable to such funds as determined at the time*  
 16          *of such conversion, use, or disposal, whichever is*  
 17          *greater.*

18 **SEC. 1509. DUTIES OF OTHER FEDERAL AGENCIES.**

19          *Any Federal agency conducting or supporting activi-*  
 20          *ties directly affecting the Heritage Corridor shall—*

21                     (1) *consult with the Secretary and the Commis-*  
 22                     *sion with respect to such activities;*

23                     (2) *cooperate with the Secretary and the Com-*  
 24                     *mission in carrying out their duties under this title*  
 25                     *and, to the maximum extent practicable, coordinate*

1        *such activities with the carrying out of such duties;*  
 2        *and*

3            *(3) to the maximum extent practicable, conduct*  
 4        *or support such activities in a manner in which the*  
 5        *Commission determines will not have an adverse ef-*  
 6        *fect on the Heritage Corridor.*

7    **SEC. 1510. COASTAL HERITAGE CENTERS.**

8        *In furtherance of the purposes of this title and using*  
 9        *the authorities made available under this title, the Commis-*  
 10       *sion shall establish one or more Coastal Heritage Centers*  
 11       *at appropriate locations within the Heritage Corridor in*  
 12       *accordance with the preferred alternative identified in the*  
 13       *Record of Decision for the Low Country Gullah Culture*  
 14       *Special Resource Study and Environmental Impact Study,*  
 15       *December 2003.*

16    **SEC. 1511. PRIVATE PROPERTY PROTECTION.**

17        *(a) ACCESS TO PRIVATE PROPERTY.—Nothing in this*  
 18        *title shall be construed to require any private property*  
 19        *owner to permit public access (including Federal, State, or*  
 20        *local government access) to such private property. Nothing*  
 21        *in this title shall be construed to modify any provision of*  
 22        *Federal, State, or local law with regard to public access*  
 23        *to or use of private lands.*

24        *(b) LIABILITY.—Designation of the Heritage Corridor*  
 25        *shall not be considered to create any liability, or to have*

1 *any effect on any liability under any other law, of any pri-*  
 2 *vate property owner with respect to any persons injured*  
 3 *on such private property.*

4 *(c) RECOGNITION OF AUTHORITY TO CONTROL LAND*  
 5 *USE.—Nothing in this title shall be construed to modify*  
 6 *any authority of Federal, State, or local governments to reg-*  
 7 *ulate land use.*

8 *(d) PARTICIPATION OF PRIVATE PROPERTY OWNERS*  
 9 *IN HERITAGE CORRIDOR.—Nothing in this title shall be*  
 10 *construed to require the owner of any private property lo-*  
 11 *cated within the boundaries of the Heritage Corridor to*  
 12 *participate in or be associated with the Heritage Corridor.*

13 *(e) EFFECT OF ESTABLISHMENT.—The boundaries*  
 14 *designated for the Heritage Corridor represent the area*  
 15 *within which Federal funds appropriated for the purpose*  
 16 *of this title shall be expended. The establishment of the Her-*  
 17 *itage Corridor and its boundaries shall not be construed to*  
 18 *provide any nonexistent regulatory authority on land use*  
 19 *within the Heritage Corridor or its viewshed by the Sec-*  
 20 *retary or the management entity.*

21 *(f) NOTIFICATION AND CONSENT OF PROPERTY OWN-*  
 22 *ERS REQUIRED.—No privately owned property shall be pre-*  
 23 *served, conserved, or promoted by the management plan for*  
 24 *the Heritage Corridor until the owner of that private prop-*  
 25 *erty has been notified in writing by the management entity*

1 *and has given written consent for such preservation, con-*  
 2 *servation, or promotion to the management entity.*

3 *(g) LANDOWNER WITHDRAWAL.—Any owner of private*  
 4 *property included within the boundary of the Heritage Cor-*  
 5 *ridor shall have their property immediately removed from*  
 6 *within the boundary by submitting a written request to the*  
 7 *management entity.*

8 **SEC. 1512. AUTHORIZATION OF APPROPRIATIONS.**

9 *(a) IN GENERAL.—There is authorized to be appro-*  
 10 *priated for the purposes of this title not more than*  
 11 *\$1,000,000 for any fiscal year. Not more than a total of*  
 12 *\$10,000,000 may be appropriated for the Heritage Corridor*  
 13 *under this title.*

14 *(b) COST SHARE.—Federal funding provided under*  
 15 *this title may not exceed 50 percent of the total cost of any*  
 16 *activity for which assistance is provided under this title.*

17 *(c) IN-KIND CONTRIBUTIONS.—The Secretary may ac-*  
 18 *cept in-kind contributions as part of the non-Federal cost*  
 19 *share of any activity for which assistance is provided under*  
 20 *this title.*

21 **SEC. 1513. TERMINATION OF AUTHORITY.**

22 *The authority of the Secretary to provide assistance*  
 23 *under this title shall terminate on the day occurring 15*  
 24 *years after the date of enactment of this Act.*

1     **TITLE XVI—WESTERN RESERVE**  
 2                   **HERITAGE AREA**

3     **SEC. 1601. SHORT TITLE.**

4           *This title may be cited as the “Western Reserve Herit-*  
 5     *age Areas Study Act”.*

6     **SEC. 1602. NATIONAL PARK SERVICE STUDY REGARDING**  
 7                   **THE WESTERN RESERVE, OHIO.**

8           *(a) FINDINGS.—The Congress finds the following:*

9                   *(1) The area that encompasses the modern-day*  
 10     *counties of Trumbull, Mahoning, Ashtabula, Portage,*  
 11     *Geagua, Lake, Cuyahoga, Summit, Medina, Huron,*  
 12     *Lorain, Erie, Ottawa, and Ashland in Ohio with the*  
 13     *rich history in what was once the Western Reserve,*  
 14     *has made a unique contribution to the cultural, polit-*  
 15     *ical and industrial development of the United States.*

16                   *(2) The Western Reserve is distinctive as the*  
 17     *land settled by the people of Connecticut after the*  
 18     *Revolutionary War. The Western Reserve holds a*  
 19     *unique mark as the original wilderness land of the*  
 20     *West that many settlers migrated to in order to begin*  
 21     *life outside of the original 13 colonies.*

22                   *(3) The Western Reserve played a significant*  
 23     *role in providing land to the people of Connecticut*  
 24     *whose property and land was destroyed during the*  
 25     *Revolution. These settlers were descendants of the*

1       *brave immigrants who came to the Americas in the*  
 2       *17th century.*

3               *(4) The Western Reserve offered a new destina-*  
 4       *tion for those who moved west in search of land and*  
 5       *prosperity. The agricultural and industrial base that*  
 6       *began in the Western Reserve still lives strong in these*  
 7       *prosperous and historical counties.*

8               *(5) The heritage of the Western Reserve remains*  
 9       *transfixed in the counties of Trumbull, Mahoning,*  
 10       *Ashtabula, Portage, Geauga, Lake, Cuyahoga, Sum-*  
 11       *mit, Medina, Huron, Lorain, Erie, Ottawa, and Ash-*  
 12       *land in Ohio. The people of these counties are proud*  
 13       *of their heritage as shown through the unwavering at-*  
 14       *tempts to preserve agricultural land and the indus-*  
 15       *trial foundation that has been embedded in this re-*  
 16       *gion since the establishment of the Western Reserve.*  
 17       *Throughout these counties, historical sites, and mark-*  
 18       *ers preserve the unique traditions and customs of its*  
 19       *original heritage.*

20               *(6) The counties that encompass the Western Re-*  
 21       *serve continue to maintain a strong connection to its*  
 22       *historic past as seen through its preservation of its*  
 23       *local heritage, including historic homes, buildings,*  
 24       *and centers of public gatherings.*

1           (7) *There is a need for assistance for the preser-*  
 2           *vation and promotion of the significance of the West-*  
 3           *ern Reserve as the natural, historic and cultural her-*  
 4           *itage of the counties of Trumbull, Mahoning, Ash-*  
 5           *tabula, Portage, Geagua, Lake, Cuyahoga, Summit,*  
 6           *Medina, Huron, Lorain, Erie, Ottawa and Ashland*  
 7           *in Ohio.*

8           (8) *The Department of the Interior is responsible*  
 9           *for protecting the Nation's cultural and historical re-*  
 10          *sources. There are significant examples of such re-*  
 11          *sources within these counties and what was once the*  
 12          *Western Reserve to merit the involvement of the Fed-*  
 13          *eral Government in the development of programs and*  
 14          *projects, in cooperation with the State of Ohio and*  
 15          *other local governmental entities, to adequately con-*  
 16          *serve, protect, and interpret this heritage for future*  
 17          *generations, while providing opportunities for edu-*  
 18          *cation and revitalization.*

19          (b) *STUDY.—*

20           (1) *IN GENERAL.—The Secretary shall, in con-*  
 21          *sultation with the State of Ohio, the counties of*  
 22          *Trumbull, Mahoning, Ashtabula, Portage, Geagua,*  
 23          *Lake, Cuyahoga, Summit, Medina, Huron, Lorain,*  
 24          *Erie, Ottawa, and Ashland, and other appropriate or-*  
 25          *ganizations, carry out a study regarding the suit-*

ability and feasibility of establishing the Western Reserve Heritage Area in these counties in Ohio.

(2) CONTENTS.—The study shall include analysis and documentation regarding whether the Study Area—

(A) has an assemblage of natural, historic, and cultural resources that together represent distinctive aspects of American heritage worthy of recognition, conservation, interpretation, and continuing use, and are best managed through partnerships among public and private entities and by combining diverse and sometimes non-contiguous resources and active communities;

(B) reflects traditions, customs, beliefs, and folklife that are a valuable part of the national story;

(C) provides outstanding opportunities to conserve natural, historic, cultural, or scenic features;

(D) provides outstanding recreational and educational opportunities;

(E) contains resources important to the identified theme or themes of the Study Area that retain a degree of integrity capable of supporting interpretation;



1           (F) includes residents, business interests,  
 2           nonprofit organizations, and local and State  
 3           governments that are involved in the planning,  
 4           have developed a conceptual financial plan that  
 5           outlines the roles for all participants, including  
 6           the Federal Government, and have demonstrated  
 7           support for the concept of a national heritage  
 8           area;

9           (G) has a potential management entity to  
 10          work in partnership with residents, business in-  
 11          terests, nonprofit organizations, and local and  
 12          State governments to develop a national heritage  
 13          area consistent with continued local and State  
 14          economic activity;

15          (H) has a conceptual boundary map that is  
 16          supported by the public; and

17          (I) has potential or actual impact on pri-  
 18          vate property located within or abutting the  
 19          Study Area.

20          (c) *BOUNDARIES OF THE STUDY AREA.*—The Study  
 21          Area shall be comprised of the counties of Trumbull,  
 22          Mahoning, Ashtabula, Portage, Geauga, Lake, Cuyahoga,  
 23          Summit, Medina, Huron, Lorain, Erie, Ottawa, and Ash-  
 24          land in Ohio.

1 ***TITLE XVII—TRIBAL PARITY ACT***

2 ***SEC. 1701. SHORT TITLE.***

3 *This title may be cited as the “Tribal Parity Act”.*

4 ***SEC. 1702. FINDINGS.***

5 *Congress finds that—*

6 *(1) the Pick-Sloan Missouri River Basin Pro-*  
 7 *gram (authorized by section 9 of the Act of December*  
 8 *22, 1944 (commonly known as the “Flood Control Act*  
 9 *of 1944”) (58 Stat. 891)), was approved to promote*  
 10 *the general economic development of the United*  
 11 *States;*

12 *(2) the Fort Randall and Big Bend dam and*  
 13 *reservoir projects in South Dakota—*

14 *(A) are major components of the Pick-Sloan*  
 15 *Missouri River Basin Program; and*

16 *(B) contribute to the national economy;*

17 *(3) the Fort Randall and Big Bend projects in-*  
 18 *undated the fertile bottom land of the Lower Brule*  
 19 *and Crow Creek Sioux Tribes, which greatly damaged*  
 20 *the economy and cultural resources of the Tribes;*

21 *(4) Congress has provided compensation to sev-*  
 22 *eral Indian tribes, including the Lower Brule and*  
 23 *Crow Creek Sioux Tribes, that border the Missouri*  
 24 *River and suffered injury as a result of 1 or more*  
 25 *Pick-Sloan Projects;*

1           (5) the compensation provided to those Indian  
2       tribes has not been consistent;

3           (6) Missouri River Indian tribes that suffered  
4       injury as a result of 1 or more Pick-Sloan Projects  
5       should be adequately compensated for those injuries,  
6       and that compensation should be consistent among the  
7       Tribes; and

8           (7) the Lower Brule Sioux Tribe and the Crow  
9       Creek Sioux Tribe, based on methodology determined  
10      appropriate by the General Accounting Office, are en-  
11      titled to receive additional compensation for injuries  
12      described in paragraph (6), so as to provide parity  
13      among compensation received by all Missouri River  
14      Indian tribes.

15 **SEC. 1703. LOWER BRULE SIOUX TRIBE.**

16       Section 4(b) of the Lower Brule Sioux Tribe Infra-  
17      structure Development Trust Fund Act (Public Law 105–  
18      132; 111 Stat. 2565) is amended by striking “\$39,300,000”  
19      and inserting “\$186,822,140”.

20 **SEC. 1704. CROW CREEK SIOUX TRIBE.**

21       Section 4(b) of the Crow Creek Sioux Tribe Infrastruc-  
22      ture Development Trust Fund Act of 1996 (Public Law  
23      104–223; 110 Stat. 3027) is amended by striking  
24      “\$27,500,000” and inserting “\$105,917,853”.

1 **TITLE XVIII—NORTHERN RIO**  
 2 **GRANDE NATIONAL HERIT-**  
 3 **AGE AREA**

4 **SEC. 1801. CONGRESSIONAL FINDINGS.**

5 *The Congress finds that—*

6 *(1) northern New Mexico encompasses a mosaic*  
 7 *of cultures and history, including eight Pueblos and*  
 8 *the descendants of Spanish ancestors who settled in*  
 9 *the area in 1598;*

10 *(2) the combination of cultures, languages, folk*  
 11 *arts, customs, and architecture make northern New*  
 12 *Mexico unique;*

13 *(3) the area includes spectacular natural, scenic,*  
 14 *and recreational resources;*

15 *(4) there is broad support from local govern-*  
 16 *ments and interested individuals to establish a Na-*  
 17 *tional Heritage Area to coordinate and assist in the*  
 18 *preservation and interpretation of these resources;*

19 *(5) in 1991, the National Park Service study Al-*  
 20 *ternative Concepts for Commemorating Spanish Col-*  
 21 *onization identified several alternatives consistent*  
 22 *with the establishment of a National Heritage Area,*  
 23 *including conducting a comprehensive archaeological*  
 24 *and historical research program, coordinating a com-*

1        *prehensive interpretation program, and interpreting*  
 2        *a cultural heritage scene; and*

3                *(6) establishment of a National Heritage Area in*  
 4        *northern New Mexico would assist local communities*  
 5        *and residents in preserving these unique cultural, his-*  
 6        *torical and natural resources.*

7    **SEC. 1802. DEFINITIONS.**

8        *As used in this title—*

9                *(1) the term “heritage area” means the Northern*  
 10        *Rio Grande Heritage Area; and*

11                *(2) the term “Secretary” means the Secretary of*  
 12        *the Interior.*

13    **SEC. 1803. NORTHERN RIO GRANDE NATIONAL HERITAGE**  
 14                **AREA.**

15        *(a) ESTABLISHMENT.—There is hereby established the*  
 16        *Northern Rio Grande National Heritage Area in the State*  
 17        *of New Mexico.*

18        *(b) BOUNDARIES.—The heritage area shall include the*  
 19        *counties of Santa Fe, Rio Arriba, and Taos.*

20        *(c) MANAGEMENT ENTITY.—*

21                *(1) The Northern Rio Grande National Heritage*  
 22        *Area, Inc., a non-profit corporation chartered in the*  
 23        *State of New Mexico, shall serve as the management*  
 24        *entity for the heritage area.*

1           (2) *The Board of Directors for the management*  
 2           *entity shall include representatives of the State of*  
 3           *New Mexico, the counties of Santa Fe, Rio Arriba*  
 4           *and Taos, tribes and pueblos within the heritage area,*  
 5           *the cities of Santa Fe, Espanola and Taos, and mem-*  
 6           *bers of the general public. The total number of Board*  
 7           *members and the number of Directors representing*  
 8           *State, local and tribal governments and interested*  
 9           *communities shall be established to ensure that all*  
 10          *parties have appropriate representation on the Board.*

11 **SEC. 1804. AUTHORITY AND DUTIES OF THE MANAGEMENT**

12                           **ENTITY.**

13           (a) *MANAGEMENT PLAN.*—

14           (1) *Not later than 3 years after the date of enact-*  
 15           *ment of this title, the management entity shall de-*  
 16           *velop and forward to the Secretary a management*  
 17           *plan for the heritage area.*

18           (2) *The management entity shall develop and*  
 19           *implement the management plan in cooperation with*  
 20           *affected communities, tribal and local governments*  
 21           *and shall provide for public involvement in the devel-*  
 22           *opment and implementation of the management plan.*

23           (3) *The management plan shall, at a*  
 24           *minimum—*

1           (A) provide recommendations for the con-  
 2           servation, funding, management, and develop-  
 3           ment of the resources of the heritage area;

4           (B) identify sources of funding;

5           (C) include an inventory of the cultural,  
 6           historical, archaeological, natural, and rec-  
 7           reational resources of the heritage area;

8           (D) provide recommendations for edu-  
 9           cational and interpretive programs to inform the  
 10          public about the resources of the heritage area;  
 11          and

12          (E) include an analysis of ways in which  
 13          local, State, Federal, and tribal programs may  
 14          best be coordinated to promote the purposes of  
 15          this title.

16          (4) If the management entity fails to submit a  
 17          management plan to the secretary as provided in  
 18          paragraph (1), the heritage area shall no longer be el-  
 19          igible to receive Federal funding under this title until  
 20          such time as a plan is submitted to the Secretary.

21          (5) The Secretary shall approve or disapprove  
 22          the management plan within 90 days after the date  
 23          of submission. If the Secretary disapproves the man-  
 24          agement plan, the Secretary shall advise the manage-

1        *ment entity in writing of the reasons therefore and*  
 2        *shall make recommendations for revisions to the plan.*

3            (6) *The management entity shall periodically re-*  
 4        *view the management plan and submit to the Sec-*  
 5        *retary any recommendations for proposed revisions to*  
 6        *the management plan. Any major revisions to the*  
 7        *management plan must be approved by the Secretary.*

8            (b) *AUTHORITY.—The management entity may make*  
 9        *grants and provide technical assistance to tribal and local*  
 10       *governments, and other public and private entities to carry*  
 11       *out the management plan.*

12          (c) *DUTIES.—The management entity shall—*

13            (1) *give priority in implementing actions set*  
 14        *forth in the management plan;*

15            (2) *coordinate with tribal and local governments*  
 16        *to better enable them to adopt land use policies con-*  
 17        *sistent with the goals of the management plan;*

18            (3) *encourage by appropriate means economic*  
 19        *viability in the heritage area consistent with the goals*  
 20        *of the management plan; and*

21            (4) *assist local and tribal governments and non-*  
 22        *profit organizations in—*

23            (A) *establishing and maintaining interpre-*  
 24        *tive exhibits in the heritage area;*



1                   (B) *developing recreational resources in the*  
 2                   *heritage area;*

3                   (C) *increasing public awareness of, and ap-*  
 4                   *preciation for, the cultural, historical, archae-*  
 5                   *ological and natural resources and sits in the*  
 6                   *heritage area;*

7                   (D) *the restoration of historic structures re-*  
 8                   *lated to the heritage area; and*

9                   (E) *carrying out other actions that the*  
 10                  *management entity determines appropriate to*  
 11                  *fulfill the purposes of this title, consistent with*  
 12                  *the management plan.*

13               (d) *PROHIBITION ON ACQUIRING REAL PROPERTY.—*  
 14               *The management entity may not use Federal funds received*  
 15               *under this title to acquire real property or an interest in*  
 16               *real property.*

17               (e) *PUBLIC MEETINGS.—The management entity shall*  
 18               *hold public meetings at least annually regarding the imple-*  
 19               *mentation of the management plan.*

20               (f) *ANNUAL REPORTS AND AUDITS.—*

21                   (1) *For any year in which the management enti-*  
 22                   *ty receives Federal funds under this title, the manage-*  
 23                   *ment entity shall submit an annual report to the Sec-*  
 24                   *retary setting forth accomplishments, expenses and*

1        *income, and each entity to which any grant was*  
 2        *made by the management entity.*

3            (2) *The management entity shall make available*  
 4        *to the Secretary for audit all records relating to the*  
 5        *expenditure of Federal funds and any matching*  
 6        *funds. The management entity shall also require, for*  
 7        *all agreements authorizing expenditure of Federal*  
 8        *funds by other organizations, that the receiving orga-*  
 9        *nization make available to the Secretary for audit all*  
 10       *records concerning the expenditure of those funds.*

11    **SEC. 1805. DUTIES OF THE SECRETARY.**

12        (a) *TECHNICAL AND FINANCIAL ASSISTANCE.*—*The*  
 13        *Secretary may, upon request of the management entity,*  
 14        *provide technical and financial assistance to develop and*  
 15        *implement the management plan.*

16        (b) *PRIORITY.*—*In providing assistance under sub-*  
 17        *section (a), the Secretary shall give priority to actions that*  
 18        *facilitate—*

19            (1) *the conservation of the significant natural,*  
 20        *cultural, historical, archaeological, scenic, and rec-*  
 21        *reational resources of the heritage area; and*

22            (2) *the provision of educational, interpretive,*  
 23        *and recreational opportunities consistent with the re-*  
 24        *sources and associated values of the heritage area.*

1 **SEC. 1806. SAVINGS PROVISIONS.**

2 (a) *NO EFFECT ON PRIVATE PROPERTY.*—Nothing in  
3 *this title shall be construed—*

4 (1) *to modify, enlarge, or diminish any author-*  
5 *ity of Federal, State, or local governments to regulate*  
6 *any use of privately owned lands; or*

7 (2) *to grant the management entity any author-*  
8 *ity to regulate the use of privately owned lands.*

9 (b) *TRIBAL LANDS.*—Nothing in this title shall restrict  
10 *or limit a tribe from protecting cultural or religious sites*  
11 *on tribal lands.*

12 (c) *AUTHORITY OF GOVERNMENTS.*—Nothing in this  
13 *title shall—*

14 (1) *modify, enlarge, or diminish any authority*  
15 *of Federal, State, tribal, or local governments to man-*  
16 *age or regulate any use of land as provided for by law*  
17 *or regulation; or*

18 (2) *authorize the management entity to assume*  
19 *any management authorities over such lands.*

20 (d) *TRUST RESPONSIBILITIES.*—Nothing in this title  
21 *shall diminish the Federal Government's trust responsibil-*  
22 *ities or government-to-government obligations to any feder-*  
23 *ally recognized Indian tribe.*

1 **SEC. 1807. SUNSET.**

2       *The authority of the Secretary to provide assistance*  
 3 *under this title terminates on the date that is 15 years after*  
 4 *the date of enactment of this title.*

5 **SEC. 1808. AUTHORIZATION OF APPROPRIATIONS.**

6       (a) *IN GENERAL.*—*There are authorized to be appro-*  
 7 *priated to carry out this title \$10,000,000, of which not*  
 8 *more than \$1,000,000 may be authorized to be appropriated*  
 9 *for any fiscal year.*

10       (b) *COST-SHARING REQUIREMENT.*—*The Federal*  
 11 *share of the total cost of any activity assisted under this*  
 12 *title shall be not more than 50 percent.*

13       **TITLE XIX—ATCHAFALAYA**  
 14       **NATIONAL HERITAGE AREA**

15 **SEC. 1901. DEFINITIONS.**

16       *In this title:*

17           (1) *HERITAGE AREA.*—*The term “Heritage*  
 18 *Area” means the Atchafalaya National Heritage Area*  
 19 *established by section 1902(a).*

20           (2) *LOCAL COORDINATING ENTITY.*—*The term*  
 21 *“local coordinating entity” means the local coordi-*  
 22 *nating entity for the Heritage Area designated by sec-*  
 23 *tion 1902(c).*

24           (3) *MANAGEMENT PLAN.*—*The term “manage-*  
 25 *ment plan” means the management plan for the Her-*  
 26 *itage Area developed under section 1904.*

1           (4) *SECRETARY.*—*The term “Secretary” means*  
 2           *the Secretary of the Interior.*

3           (5) *STATE.*—*The term “State” means the State*  
 4           *of Louisiana.*

5   **SEC. 1902. ATCHAFALAYA NATIONAL HERITAGE AREA.**

6           (a) *ESTABLISHMENT.*—*There is established in the*  
 7           *State the Atchafalaya National Heritage Area.*

8           (b) *BOUNDARIES.*—*The Heritage Area shall consist of*  
 9           *the whole of the following parishes in the State: St. Mary,*  
 10          *Iberia, St. Martin, St. Landry, Avoyelles, Pointe Coupee,*  
 11          *Iberville, Assumption, Terrebonne, Lafayette, West Baton*  
 12          *Rouge, Concordia, and East Baton Rouge.*

13          (c) *LOCAL COORDINATING ENTITY.*—

14               (1) *IN GENERAL.*—*The Atchafalaya Trace Com-*  
 15               *mission shall be the local coordinating entity for the*  
 16               *Heritage Area.*

17               (2) *COMPOSITION.*—*The local coordinating entity*  
 18               *shall be composed of 13 members appointed by the*  
 19               *governing authority of each parish within the Herit-*  
 20               *age Area.*

21   **SEC. 1903. AUTHORITIES AND DUTIES OF THE LOCAL CO-**  
 22               **ORDINATING ENTITY.**

23           (a) *AUTHORITIES.*—*For the purposes of developing*  
 24           *and implementing the management plan and otherwise car-*  
 25           *rying out this title, the local coordinating entity may—*

1           (1) *make grants to, and enter into cooperative*  
 2           *agreements with, the State, units of local government,*  
 3           *and private organizations;*

4           (2) *hire and compensate staff; and*

5           (3) *enter into contracts for goods and services.*

6           (b) *DUTIES.—The local coordinating entity shall—*

7           (1) *submit to the Secretary for approval a man-*  
 8           *agement plan;*

9           (2) *implement the management plan, including*  
 10          *providing assistance to units of government and oth-*  
 11          *ers in—*

12           (A) *carrying out programs that recognize*  
 13           *important resource values within the Heritage*  
 14           *Area;*

15           (B) *encouraging sustainable economic devel-*  
 16           *opment within the Heritage Area;*

17           (C) *establishing and maintaining interpre-*  
 18           *tive sites within the Heritage Area; and*

19           (D) *increasing public awareness of, and ap-*  
 20           *preciation for the natural, historic, and cultural*  
 21           *resources of, the Heritage Area;*

22           (3) *adopt bylaws governing the conduct of the*  
 23           *local coordinating entity; and*

1           (4) *for any year for which Federal funds are re-*  
 2           *ceived under this title, submit to the Secretary a re-*  
 3           *port that describes, for the year—*

4                   (A) *the accomplishments of the local coordi-*  
 5                   *nating entity; and*

6                   (B) *the expenses and income of the local co-*  
 7                   *ordinating entity.*

8           (c) *ACQUISITION OF REAL PROPERTY.—The local co-*  
 9           *ordinating entity shall not use Federal funds received under*  
 10          *this title to acquire real property or an interest in real*  
 11          *property.*

12          (d) *PUBLIC MEETINGS.—The local coordinating entity*  
 13          *shall conduct public meetings at least quarterly.*

14   **SEC. 1904. MANAGEMENT PLAN.**

15          (a) *IN GENERAL.—The local coordinating entity shall*  
 16          *develop a management plan for the Heritage Area that in-*  
 17          *corporates an integrated and cooperative approach to pro-*  
 18          *tect, interpret, and enhance the natural, scenic, cultural,*  
 19          *historic, and recreational resources of the Heritage Area.*

20          (b) *CONSIDERATION OF OTHER PLANS AND AC-*  
 21          *TIONS.—In developing the management plan, the local co-*  
 22          *ordinating entity shall—*

23                   (1) *take into consideration State and local plans;*  
 24                   *and*

1           (2) *invite the participation of residents, public*  
 2           *agencies, and private organizations in the Heritage*  
 3           *Area.*

4           (c) *CONTENTS.—The management plan shall*  
 5           *include—*

6           (1) *an inventory of the resources in the Heritage*  
 7           *Area, including—*

8           (A) *a list of property in the Heritage Area*  
 9           *that—*

10           (i) *relates to the purposes of the Herit-*  
 11           *age Area; and*

12           (ii) *should be preserved, restored, man-*  
 13           *aged, or maintained because of the signifi-*  
 14           *cance of the property; and*

15           (B) *an assessment of cultural landscapes*  
 16           *within the Heritage Area;*

17           (2) *provisions for the protection, interpretation,*  
 18           *and enjoyment of the resources of the Heritage Area*  
 19           *consistent with this title;*

20           (3) *an interpretation plan for the Heritage Area;*  
 21           *and*

22           (4) *a program for implementation of the man-*  
 23           *agement plan that includes—*

24           (A) *actions to be carried out by units of*  
 25           *government, private organizations, and public-*



1           *private partnerships to protect the resources of*  
 2           *the Heritage Area; and*

3                     *(B) the identification of existing and poten-*  
 4           *tial sources of funding for implementing the*  
 5           *plan.*

6           *(d) SUBMISSION TO SECRETARY FOR APPROVAL.—*

7                     *(1) IN GENERAL.—Not later than 3 years after*  
 8           *the date of enactment of this title, the local coordi-*  
 9           *nating entity shall submit the management plan to*  
 10          *the Secretary for approval.*

11                    *(2) EFFECT OF FAILURE TO SUBMIT.—If a man-*  
 12          *agement plan is not submitted to the Secretary by the*  
 13          *date specified in paragraph (1), the Secretary shall*  
 14          *not provide any additional funding under this title*  
 15          *until a management plan for the Heritage Area is*  
 16          *submitted to the Secretary.*

17          *(e) APPROVAL.—*

18                    *(1) IN GENERAL.—Not later than 90 days after*  
 19          *receiving the management plan submitted under sub-*  
 20          *section (d)(1), the Secretary, in consultation with the*  
 21          *State, shall approve or disapprove the management*  
 22          *plan.*

23                    *(2) ACTION FOLLOWING DISAPPROVAL.—*

1           (A) *IN GENERAL.*—If the Secretary dis-  
 2           approves a management plan under paragraph  
 3           (1), the Secretary shall—

4                   (i) advise the local coordinating entity  
 5                   in writing of the reasons for the dis-  
 6                   approval;

7                   (ii) make recommendations for revi-  
 8                   sions to the management plan; and

9                   (iii) allow the local coordinating entity  
 10                  to submit to the Secretary revisions to the  
 11                  management plan.

12           (B) *DEADLINE FOR APPROVAL OF REVI-*  
 13           *SION.*—Not later than 90 days after the date on  
 14           which a revision is submitted under subpara-  
 15           graph (A)(iii), the Secretary shall approve or  
 16           disapprove the revision.

17       (f) *REVISION.*—

18           (1) *IN GENERAL.*—After approval by the Sec-  
 19           retary of a management plan, the local coordinating  
 20           entity shall periodically—

21                   (A) review the management plan; and

22                   (B) submit to the Secretary, for review and  
 23                  approval by the Secretary, the recommendations  
 24                  of the local coordinating entity for any revisions

1           to the management plan that the local coordi-  
 2           nating entity considers to be appropriate.

3           (2) *EXPENDITURE OF FUNDS.*—No funds made  
 4           available under this title shall be used to implement  
 5           any revision proposed by the local coordinating entity  
 6           under paragraph (1)(B) until the Secretary approves  
 7           the revision.

8   **SEC. 1905. REQUIREMENTS FOR INCLUSION OF PRIVATE**  
 9           **PROPERTY.**

10          (a) *NOTIFICATION AND CONSENT OF PROPERTY OWN-*  
 11          *ERS REQUIRED.*—No privately owned property shall be pre-  
 12          served, conserved, or promoted by the management plan for  
 13          the Heritage Area until the owner of that private property  
 14          has been notified in writing by the management entity and  
 15          has given written consent to the management entity for such  
 16          preservation, conservation, or promotion.

17          (b) *LANDOWNER WITHDRAW.*—Any owner of private  
 18          property included within the boundary of the Heritage Area  
 19          shall have that private property immediately removed from  
 20          the boundary by submitting a written request to the man-  
 21          agement entity.

22   **SEC. 1906. PRIVATE PROPERTY PROTECTION.**

23          (a) *ACCESS TO PRIVATE PROPERTY.*—Nothing in this  
 24          title shall be construed to—

1           (1) *require any private property owner to allow*  
 2           *public access (including Federal, State, or local gov-*  
 3           *ernment access) to such private property; or*

4           (2) *modify any provision of Federal, State, or*  
 5           *local law with regard to public access to or use of pri-*  
 6           *vate property.*

7           (b) *LIABILITY.—Designation of the Heritage Area*  
 8           *shall not be considered to create any liability, or to have*  
 9           *any effect on any liability under any other law, of any pri-*  
 10          *vate property owner with respect to any persons injured*  
 11          *on that private property.*

12          (c) *PARTICIPATION OF PRIVATE PROPERTY OWNERS IN*  
 13          *HERITAGE AREA.—Nothing in this title shall be construed*  
 14          *to require the owner of any private property located within*  
 15          *the boundaries of the Heritage Area to participate in or*  
 16          *be associated with the Heritage Area.*

17       **SEC. 1907. EFFECT OF TITLE.**

18          *Nothing in this title or in establishment of the Herit-*  
 19          *age Area—*

20               (1) *grants any Federal agency regulatory au-*  
 21               *thority over any interest in the Heritage Area, unless*  
 22               *cooperatively agreed on by all involved parties;*

23               (2) *modifies, enlarges, or diminishes any author-*  
 24               *ity of the Federal Government or a State or local gov-*  
 25               *ernment to regulate any use of land as provided for*

1       *by law (including regulations) in existence on the*  
 2       *date of enactment of this title;*

3           (3) *grants any power of zoning or land use to*  
 4       *the local coordinating entity;*

5           (4) *imposes any environmental, occupational,*  
 6       *safety, or other rule, standard, or permitting process*  
 7       *that is different from those in effect on the date of en-*  
 8       *actment of this title that would be applicable had the*  
 9       *Heritage Area not been established;*

10          (5)(A) *imposes any change in Federal environ-*  
 11       *mental quality standards; or*

12          (B) *authorizes designation of any portion of the*  
 13       *Heritage Area that is subject to part C of title I of*  
 14       *the Clean Air Act (42 U.S.C. 7470 et seq.) as class*  
 15       *1 for the purposes of that part solely by reason of the*  
 16       *establishment of the Heritage Area;*

17          (6) *authorizes any Federal or State agency to*  
 18       *impose more restrictive water use designations, or*  
 19       *water quality standards on uses of or discharges to,*  
 20       *waters of the United States or waters of the State*  
 21       *within or adjacent to the Heritage Area solely by rea-*  
 22       *son of the establishment of the Heritage Area;*

23          (7) *abridges, restricts, or alters any applicable*  
 24       *rule, standard, or review procedure for permitting of*  
 25       *facilities within or adjacent to the Heritage Area; or*

1           (8) *affects the continuing use and operation,*  
 2           *where located on the date of enactment of this title,*  
 3           *of any public utility or common carrier.*

4 **SEC. 1908. REPORTS.**

5           *For any year in which Federal funds have been made*  
 6           *available under this title, the local coordinating entity shall*  
 7           *submit to the Secretary a report that describes—*

8                   (1) *the accomplishments of the local coordinating*  
 9           *entity; and*

10                   (2) *the expenses and income of the local coordi-*  
 11           *nating entity.*

12 **SEC. 1909. AUTHORIZATION OF APPROPRIATIONS.**

13           (a) *IN GENERAL.—There is authorized to be appro-*  
 14           *priated to carry out this title \$10,000,000, of which not*  
 15           *more than \$1,000,000 shall be made available for any fiscal*  
 16           *year.*

17           (b) *COST-SHARING REQUIREMENT.—The Federal*  
 18           *share of the total cost of any activity assisted under this*  
 19           *title shall be not more than 50 percent.*

20 **SEC. 1910. TERMINATION OF AUTHORITY.**

21           *The authority of the Secretary to provide assistance*  
 22           *to the local coordinating entity under this title terminates*  
 23           *on the date that is 15 years after the date of enactment*  
 24           *of this title.*

1 **TITLE XX—CHAMPLAIN VALLEY**  
 2 **NATIONAL HERITAGE PART-**  
 3 **nership**

4 **SEC. 2001. SHORT TITLE.**

5 *This title may be cited as the “Champlain Valley Na-*  
 6 *tional Heritage Partnership Act of 2003”.*

7 **SEC. 2002. FINDINGS AND PURPOSES.**

8 *(a) FINDINGS.—Congress finds that—*

9 *(1) the Champlain Valley and its extensive cul-*  
 10 *tural and natural resources have played a significant*  
 11 *role in the history of the United States and the indi-*  
 12 *vidual States of Vermont and New York;*

13 *(2) archaeological evidence indicates that the*  
 14 *Champlain Valley has been inhabited by humans*  
 15 *since the last retreat of the glaciers, with the Native*  
 16 *Americans living in the area at the time of European*  
 17 *discovery being primarily of Iroquois and Algonquin*  
 18 *descent;*

19 *(3) the linked waterways of the Champlain Val-*  
 20 *ley, including the Richelieu River in Canada, played*  
 21 *a unique and significant role in the establishment*  
 22 *and development of the United States and Canada*  
 23 *through several distinct eras, including—*

24 *(A) the era of European exploration, during*  
 25 *which Samuel de Champlain and other explorers*

1           *used the waterways as a means of access through*  
 2           *the wilderness;*

3           *(B) the era of military campaigns, includ-*  
 4           *ing highly significant military campaigns of the*  
 5           *French and Indian War, the American Revolu-*  
 6           *tion, and the War of 1812; and*

7           *(C) the era of maritime commerce, during*  
 8           *which canals boats, schooners, and steamships*  
 9           *formed the backbone of commercial transpor-*  
 10          *tation for the region;*

11          *(4) those unique and significant eras are best de-*  
 12          *scribed by the theme “The Making of Nations and*  
 13          *Corridors of Commerce”;*

14          *(5) the artifacts and structures associated with*  
 15          *those eras are unusually well-preserved;*

16          *(6) the Champlain Valley is recognized as having*  
 17          *one of the richest collections of historical resources in*  
 18          *North America;*

19          *(7) the history and cultural heritage of the*  
 20          *Champlain Valley are shared with Canada and the*  
 21          *Province of Quebec;*

22          *(8) there are benefits in celebrating and pro-*  
 23          *moting this mutual heritage;*

24          *(9) tourism is among the most important indus-*  
 25          *tries in the Champlain Valley, and heritage tourism*



1        *in particular plays a significant role in the economy*  
 2        *of the Champlain Valley;*

3            *(10) it is important to enhance heritage tourism*  
 4        *in the Champlain Valley while ensuring that in-*  
 5        *creased visitation will not impair the historical and*  
 6        *cultural resources of the region;*

7            *(11) according to the 1999 report of the National*  
 8        *Park Service entitled “Champlain Valley Heritage*  
 9        *Corridor Project”, “the Champlain Valley contains*  
 10       *resources and represents a theme ‘The Making of Na-*  
 11       *tions and Corridors of Commerce’, that is of out-*  
 12       *standing importance in U.S. history”; and*

13           *(12) it is in the interest of the United States to*  
 14        *preserve and interpret the historical and cultural re-*  
 15        *sources of the Champlain Valley for the education and*  
 16        *benefit of present and future generations.*

17        *(b) PURPOSES.—The purposes of this title are—*

18           *(1) to establish the Champlain Valley National*  
 19        *Heritage Partnership in the States of Vermont and*  
 20        *New York to recognize the importance of the histor-*  
 21        *ical, cultural, and recreational resources of the Cham-*  
 22        *plain Valley region to the United States;*

23           *(2) to assist the State of Vermont and New York,*  
 24        *including units of local government and nongovern-*  
 25        *mental organizations in the States, in preserving,*

1       *protecting, and interpreting those resources for the*  
 2       *benefit of the people of the United States;*

3               *(3) to use those resources and the theme “The*  
 4       *Making of Nations and Corridors of Commerce” to—*

5                       *(A) revitalize the economy of communities*  
 6       *in the Champlain Valley; and*

7                       *(B) generate and sustain increased levels of*  
 8       *tourism in the Champlain Valley;*

9               *(4) to encourage—*

10                       *(A) partnerships among State and local*  
 11       *governments and nongovernmental organizations*  
 12       *in the United States; and*

13                       *(B) collaboration with Canada and the*  
 14       *Province of Quebec to—*

15                               *(i) interpret and promote the history of*  
 16       *the waterways of the Champlain Valley re-*  
 17       *gion;*

18                               *(ii) form stronger bonds between the*  
 19       *United States and Canada; and*

20                               *(iii) promote the international aspects*  
 21       *of the Champlain Valley region; and*

22               *(5) to provide financial and technical assistance*  
 23       *for the purposes described in paragraphs (1) through*  
 24       *(4).*

1 **SEC. 2003. DEFINITIONS.**

2 *In this title:*

3 (1) *HERITAGE PARTNERSHIP.*—*The term “Herit-*  
 4 *age Partnership” means the Champlain Valley Na-*  
 5 *tional Heritage Partnership established by section*  
 6 *2004(a).*

7 (2) *MANAGEMENT ENTITY.*—*The term “manage-*  
 8 *ment entity” means the Lake Champlain Basin Pro-*  
 9 *gram.*

10 (3) *MANAGEMENT PLAN.*—*The term “manage-*  
 11 *ment plan” means the management plan developed*  
 12 *under section 2004(b)(B)(i).*

13 (4) *REGION.*—

14 (A) *IN GENERAL.*—*The term “region”*  
 15 *means any area or community in 1 of the States*  
 16 *in which a physical, cultural, or historical re-*  
 17 *source that represents the theme is located.*

18 (B) *INCLUSIONS.*—*The term “region” in-*  
 19 *cludes*

20 (i) *the linked navigable waterways*  
 21 *of—*

22 (I) *Lake Champlain;*

23 (II) *Lake George;*

24 (III) *the Champlain Canal; and*

1 (IV) the portion of the Upper  
 2 Hudson River extending south to Sara-  
 3 toga;

4 (ii) portions of Grand Isle, Franklin,  
 5 Chittenden, Addison, Rutland, and  
 6 Bennington Counties in the State of  
 7 Vermont; and

8 (iii) portions of Clinton, Essex, War-  
 9 ren, Saratoga and Washington Counties in  
 10 the State of New York.

11 (5) SECRETARY.—The term “Secretary” means  
 12 the Secretary of the Interior.

13 (6) STATE.—the term “State” means—

14 (A) the State of Vermont; and

15 (B) the State of New York.

16 (7) THEME.—The term “theme” means the theme  
 17 “The Making of Nations and Corridors of Commerce”,  
 18 as the term is used in the 1999 report of the National  
 19 Park Service entitled “Champlain Valley Heritage  
 20 Corridor Project”, that describes the periods of inter-  
 21 national conflict and maritime commerce during  
 22 which the region played a unique and significant role  
 23 in the development of the United States and Canada.

1 **SEC. 2004. HERITAGE PARTNERSHIP.**

2       (a) *ESTABLISHMENT.*—*There is established in the re-*  
 3 *gional the Champlain Valley National Heritage Partner-*  
 4 *ship.*

5       (b) *MANAGEMENT ENTITY.*—

6           (1) *DUTIES.*—

7               (A) *IN GENERAL.*—*The management entity*  
 8 *shall implement the title.*

9               (B) *MANAGEMENT PLAN.*—

10                   (i) *IN GENERAL.*—*Not later than 3*  
 11 *years after the date of enactment of this Act,*  
 12 *the management entity shall develop a man-*  
 13 *agement plan for the Heritage Partnership.*

14                   (ii) *EXISTING PLAN.*—*Pending the*  
 15 *completion and approval of the manage-*  
 16 *ment plan, the management entity may im-*  
 17 *plement the provisions of this title based on*  
 18 *its federally authorized plan “Opportunities*  
 19 *for Action, an Evolving Plan For Lake*  
 20 *Champlain”.*

21                   (iii) *CONTENTS.*—*The management*  
 22 *plan shall include—*

23                       (I) *recommendations for funding,*  
 24 *managing, and developing the Heritage*  
 25 *Partnership;*

1                   (II) a description of activities to  
2                   be carried out by public and private  
3                   organizations to protect the resources of  
4                   the Heritage Partnership;

5                   (III) a list of specific, potential  
6                   sources of funding for the protection,  
7                   management, and development of the  
8                   Heritage Partnership;

9                   (IV) an assessment of the organi-  
10                  zational capacity of the management  
11                  entity to achieve the goals for imple-  
12                  mentation; and

13                  (V) recommendations of ways in  
14                  which to encourage collaboration with  
15                  Canada and the Province of Quebec in  
16                  implementing this title.

17                  (iv) CONSIDERATIONS.—In developing  
18                  the management plan under clause (i), the  
19                  management entity shall take into consider-  
20                  ation existing Federal, State, and local  
21                  plans relating to the region.

22                  (v) SUBMISSION TO SECRETARY FOR  
23                  APPROVAL.—

24                  (I) IN GENERAL.—Not later than  
25                  3 years after the date of enactment of

1            *this Act, the management entity shall*  
 2            *submit the management plan to the*  
 3            *Secretary for approval.*

4            *(II) EFFECT OF FAILURE TO SUB-*  
 5            *MIT.—If a management plan is not*  
 6            *submitted to the Secretary by the date*  
 7            *specified in paragraph (I), the Sec-*  
 8            *retary shall not provide any additional*  
 9            *funding under this title until a man-*  
 10           *agement plan for the Heritage Partner-*  
 11           *ship is submitted to the Secretary.*

12           *(vi) APPROVAL.—Not later than 90*  
 13           *days after receiving the management plan*  
 14           *submitted under subparagraph (V)(I), the*  
 15           *Secretary, in consultation with the States,*  
 16           *shall approve or disapprove the manage-*  
 17           *ment plan.*

18           *(vii) ACTION FOLLOWING DIS-*  
 19           *APPROVAL.—*

20           *(I) GENERAL.—If the Secretary*  
 21           *disapproves a management plan under*  
 22           *subparagraph (vi), the Secretary*  
 23           *shall—*

1                   (aa) advise the management  
2                   entity in writing of the reasons  
3                   for the disapproval;

4                   (bb) make recommendations  
5                   for revisions to the management  
6                   plan; and

7                   (cc) allow the management  
8                   entity to submit to the Secretary  
9                   revisions to the management plan.

10                  (II) DEADLINE FOR APPROVAL OF  
11                  REVISION.—Not later than 90 days  
12                  after the date on which a revision is  
13                  submitted under subparagraph  
14                  (vii)(I)(cc), the Secretary shall approve  
15                  or disapprove the revision.

16                  (viii) AMENDMENT.—

17                   (I) IN GENERAL.—After approval  
18                   by the Secretary of the management  
19                   plan, the management entity shall  
20                   periodically—

21                   (aa) review the management  
22                   plan; and

23                   (bb) submit to the Secretary,  
24                   for review and approval by the  
25                   Secretary, the recommendations of



1           *the management entity for any*  
 2           *amendments to the management*  
 3           *plan that the management entity*  
 4           *considers to be appropriate.*

5           (II) *EXPENDITURE OF FUNDS.—*

6           *No funds made available under this*  
 7           *title shall be used to implement any*  
 8           *amendment proposed by the manage-*  
 9           *ment entity under subparagraph*  
 10           *(viii)(1) until the Secretary approves*  
 11           *the amendments.*

12           (2) *PARTNERSHIPS.—*

13           (A) *IN GENERAL.—In carrying out this*  
 14           *title, the management entity may enter into*  
 15           *partnerships with—*

16                   (i) *the States, including units of local*  
 17                   *governments in the States;*

18                   (ii) *nongovernmental organizations;*

19                   (iii) *Indian Tribes; and*

20                   (iv) *other persons in the Heritage*  
 21           *Partnership.*

22           (B) *GRANTS.—Subject to the availability of*  
 23           *funds, the management entity may provide*  
 24           *grants to partners under subparagraph (A) to*  
 25           *assist in implementing this title.*

1           (3) *PROHIBITION ON THE ACQUISITION OF REAL*  
 2           *PROPERTY.—The management entity shall not use*  
 3           *Federal funds made available under this title to ac-*  
 4           *quire real property or any interest in real property.*

5           (c) *ASSISTANCE FROM SECRETARY.—To carry out the*  
 6           *purposes of this title, the Secretary may provide technical*  
 7           *and financial assistance to the management entity.*

8   **SEC. 2005. EFFECT.**

9           *Nothing in this title—*

10           (1) *grants powers of zoning or land use to the*  
 11           *management entity;*

12           (2) *modifies, enlarges, or diminishes the author-*  
 13           *ity of the Federal Government or a State or local gov-*  
 14           *ernment to manage or regulate any use of land under*  
 15           *any law (including regulations); or*

16           (3) *obstructs or limits private business develop-*  
 17           *ment activities or resource development activities.*

18   **SEC. 2006. AUTHORIZATION OF APPROPRIATIONS.**

19           (a) *IN GENERAL.—There is authorized to be appro-*  
 20           *priated to carry out this title not more than a total of*  
 21           *\$10,000,000, of which not more than \$1,000,000 may be*  
 22           *made available for any fiscal year.*

23           (b) *NON-FEDERAL SHARE.—The non-Federal share of*  
 24           *the cost of any activities carried out using Federal funds*

1 *made available under subsection (a) not be less than 50 per-*  
 2 *cent.*

3 **SEC. 2007. TERMINATION OF AUTHORITY.**

4 *The authority of the Secretary to provide assistance*  
 5 *under this title terminates on the date that is 15 years after*  
 6 *the date of enactment of this Act.*

7 **TITLE XXI—GREAT BASIN**  
 8 **NATIONAL HERITAGE ROUTE**

9 **SEC. 2101. SHORT TITLE.**

10 *This title may be cited as the “Great Basin National*  
 11 *Heritage Route Act”.*

12 **SEC. 2102. FINDINGS AND PURPOSES.**

13 *(a) FINDINGS.—Congress finds that—*

14 *(1) the natural, cultural, and historic heritage of*  
 15 *the North American Great Basin is nationally sig-*  
 16 *nificant;*

17 *(2) communities along the Great Basin Heritage*  
 18 *Route (including the towns of Delta, Utah, Ely, Ne-*  
 19 *vada, and the surrounding communities) are located*  
 20 *in a classic western landscape that contains long nat-*  
 21 *ural vistas, isolated high desert valleys, mountain*  
 22 *ranges, ranches, mines, historic railroads, archae-*  
 23 *ological sites, and tribal communities;*

24 *(3) the Native American, pioneer, ranching,*  
 25 *mining, timber, and railroad heritages associated*

1       *with the Great Basin Heritage Route include the so-*  
 2       *cial history and living cultural traditions of a rich*  
 3       *diversity of nationalities;*

4               *(4) the pioneer, Mormon, and other religious set-*  
 5       *tlements, and ranching, timber, and mining activities*  
 6       *of the region played and continue to play a signifi-*  
 7       *cant role in the development of the United States,*  
 8       *shaped by—*

9               *(A) the unique geography of the Great*  
 10       *Basin;*

11              *(B) an influx of people of Greek, Chinese,*  
 12       *Basque, Serb, Croat, Italian, and Hispanic de-*  
 13       *scend; and*

14              *(C) a Native American presence (Western*  
 15       *Shoshone, Northern and Southern Paiute, and*  
 16       *Goshute) that continues in the Great Basin*  
 17       *today;*

18              *(5) the Great Basin housed internment camps*  
 19       *for Japanese-American citizens during World War II,*  
 20       *1 of which, Topaz, was located along the Heritage*  
 21       *Route;*

22              *(6) the pioneer heritage of the Heritage Route in-*  
 23       *cludes the Pony Express route and stations, the Over-*  
 24       *land Stage, and many examples of 19th century ex-*  
 25       *ploration of the western United States;*

1           (7) *the Native American heritage of the Heritage*  
 2     *Route dates back thousands of years and includes—*

3           (A) *archaeological sites;*

4           (B) *petroglyphs and pictographs;*

5           (C) *the westernmost village of the Fremont*  
 6     *culture; and*

7           (D) *communities of Western Shoshone, Pai-*  
 8     *ute, and Goshute tribes;*

9           (8) *the Heritage Route contains multiple bio-*  
 10    *logically diverse ecological communities that are home*  
 11    *to exceptional species such as—*

12           (A) *bristlecone pines, the oldest living trees*  
 13    *in the world;*

14           (B) *wildlife adapted to harsh desert condi-*  
 15    *tions;*

16           (C) *unique plant communities, lakes, and*  
 17    *streams; and*

18           (D) *native Bonneville cutthroat trout;*

19           (9) *the air and water quality of the Heritage*  
 20    *Route is among the best in the United States, and the*  
 21    *clear air permits outstanding viewing of the night*  
 22    *skies;*

23           (10) *the Heritage Route includes unique and*  
 24    *outstanding geologic features such as numerous lime-*  
 25    *stone caves, classic basin and range topography with*

1      *playa lakes, alluvial fans, volcanics, cold and hot*  
 2      *springs, and recognizable features of ancient Lake*  
 3      *Bonneville;*

4            (11) *the Heritage Route includes an unusual va-*  
 5      *riety of open space and recreational and educational*  
 6      *opportunities because of the great quantity of ranch-*  
 7      *ing activity and public land (including city, county,*  
 8      *and State parks, national forests, Bureau of Land*  
 9      *Management land, and a national park);*

10           (12) *there are significant archaeological, histor-*  
 11      *ical, cultural, natural, scenic, and recreational re-*  
 12      *sources in the Great Basin to merit the involvement*  
 13      *of the Federal Government in the development, in co-*  
 14      *operation with the Great Basin Heritage Route Part-*  
 15      *nership and other local and governmental entities, of*  
 16      *programs and projects to—*

17            (A) *adequately conserve, protect, and inter-*  
 18      *pret the heritage of the Great Basin for present*  
 19      *and future generations; and*

20            (B) *provide opportunities in the Great*  
 21      *Basin for education; and*

22           (13) *the Great Basin Heritage Route Partner-*  
 23      *ship shall serve as the management entity for a Her-*  
 24      *itage Route established in the Great Basin.*

25      (b) *PURPOSES.—The purposes of this title are—*

1           (1) *to foster a close working relationship with all*  
 2           *levels of government, the private sector, and the local*  
 3           *communities within White Pine County, Nevada, Mil-*  
 4           *lard County, Utah, and the Duckwater Shoshone Res-*  
 5           *ervation;*

6           (2) *to enable communities referred to in para-*  
 7           *graph (1) to conserve their heritage while continuing*  
 8           *to develop economic opportunities; and*

9           (3) *to conserve, interpret, and develop the ar-*  
 10          *chaeological, historical, cultural, natural, scenic, and*  
 11          *recreational resources related to the unique ranching,*  
 12          *industrial, and cultural heritage of the Great Basin,*  
 13          *in a manner that promotes multiple uses permitted as*  
 14          *of the date of enactment of this Act, without man-*  
 15          *aging or regulating land use.*

16 **SEC. 2103. DEFINITIONS.**

17       *In this title:*

18           (1) *GREAT BASIN.*—*The term “Great Basin”*  
 19           *means the North American Great Basin.*

20           (2) *HERITAGE ROUTE.*—*The term “Heritage*  
 21           *Route” means the Great Basin National Heritage*  
 22           *Route established by section 2104(a).*

23           (3) *MANAGEMENT ENTITY.*—*The term “manage-*  
 24           *ment entity” means the Great Basin Heritage Route*  
 25           *Partnership established by section 2104(c).*

1           (4) *MANAGEMENT PLAN.*—*The term “manage-*  
 2           *ment plan” means the plan developed by the manage-*  
 3           *ment entity under section 2106(a).*

4           (5) *SECRETARY.*—*The term “Secretary” means*  
 5           *the Secretary of the Interior, acting through the Di-*  
 6           *rector of the National Park Service.*

7   **SEC. 2104. GREAT BASIN NATIONAL HERITAGE ROUTE.**

8           (a) *ESTABLISHMENT.*—*There is established the Great*  
 9           *Basin National Heritage Route to provide the public with*  
 10          *access to certain historical, cultural, natural, scenic, and*  
 11          *recreational resources in White Pine County, Nevada, Mil-*  
 12          *lard County, Utah, and the Duckwater Shoshone Reserva-*  
 13          *tion in the State of Nevada, as designated by the manage-*  
 14          *ment entity.*

15          (b) *BOUNDARIES.*—*The management entity shall de-*  
 16          *termine the specific boundaries of the Heritage Route.*

17          (c) *MANAGEMENT ENTITY.*—

18               (1) *IN GENERAL.*—*The Great Basin Heritage*  
 19               *Route Partnership shall serve as the management en-*  
 20               *tity for the Heritage Route.*

21               (2) *BOARD OF DIRECTORS.*—*The Great Basin*  
 22               *Heritage Route Partnership shall be governed by a*  
 23               *board of directors that consists of—*



1                   (A) 4 members who are appointed by the  
2                   Board of County Commissioners for Millard  
3                   County, Utah;

4                   (B) 4 members who are appointed by the  
5                   Board of County Commissioners for White Pine  
6                   County, Nevada; and

7                   (C) a representative appointed by each Na-  
8                   tive American Tribe participating in the Herit-  
9                   age Route.

10 **SEC. 2105. MEMORANDUM OF UNDERSTANDING.**

11           (a) *IN GENERAL.*—In carrying out this title, the Sec-  
12           retary, in consultation with the Governors of the States of  
13           Nevada and Utah and the tribal government of each Indian  
14           tribe participating in the Heritage Route, shall enter into  
15           a memorandum of understanding with the management en-  
16           tity.

17           (b) *INCLUSIONS.*—The memorandum of understanding  
18           shall include information relating to the objectives and  
19           management of the Heritage Route, including—

20                   (1) a description of the resources of the Heritage  
21                   Route;

22                   (2) a discussion of the goals and objectives of the  
23                   Heritage Route, including—

1           (A) an explanation of the proposed ap-  
 2           proach to conservation, development, and inter-  
 3           pretation; and

4           (B) a general outline of the anticipated pro-  
 5           tection and development measures;

6           (3) a description of the management entity;

7           (4) a list and statement of the financial commit-  
 8           ment of the initial partners to be involved in devel-  
 9           oping and implementing the management plan; and

10          (5) a description of the role of the States of Ne-  
 11          vada and Utah in the management of the Heritage  
 12          Route.

13          (c) *ADDITIONAL REQUIREMENTS.*—In developing the  
 14          terms of the memorandum of understanding, the Secretary  
 15          and the management entity shall—

16               (1) provide opportunities for local participation;  
 17          and

18               (2) include terms that ensure, to the maximum  
 19          extent practicable, timely implementation of all as-  
 20          pects of the memorandum of understanding.

21          (d) *AMENDMENTS.*—

22               (1) *IN GENERAL.*—The Secretary shall review  
 23          any amendments of the memorandum of under-  
 24          standing proposed by the management entity or the  
 25          Governor of the State of Nevada or Utah.

1           (2) *USE OF FUNDS.*—*Funds made available*  
 2           *under this title shall not be expended to implement a*  
 3           *change made by a proposed amendment described in*  
 4           *paragraph (1) until the Secretary approves the*  
 5           *amendment.*

6 **SEC. 2106. MANAGEMENT PLAN.**

7           (a) *IN GENERAL.*—*Not later than 3 years after the*  
 8           *date of enactment of this Act, the management entity shall*  
 9           *develop and submit to the Secretary for approval a manage-*  
 10          *ment plan for the Heritage Route that—*

11               (1) *specifies—*

12                       (A) *any resources designated by the man-*  
 13                       *agement entity under section 2104(a); and*

14                       (B) *the specific boundaries of the Heritage*  
 15                       *Route, as determined under section 2104(b); and*

16               (2) *presents clear and comprehensive rec-*  
 17               *ommendations for the conservation, funding, manage-*  
 18               *ment, and development of the Heritage Route.*

19           (b) *CONSIDERATIONS.*—*In developing the management*  
 20          *plan, the management entity shall—*

21               (1) *provide for the participation of local resi-*  
 22               *dents, public agencies, and private organizations lo-*  
 23               *cated within the counties of Millard County, Utah,*  
 24               *White Pine County, Nevada, and the Duckwater Sho-*  
 25               *shone Reservation in the protection and development*

1       *of resources of the Heritage Route, taking into consid-*  
 2       *eration State, tribal, county, and local land use plans*  
 3       *in existence on the date of enactment of this Act;*

4               *(2) identify sources of funding;*

5               *(3) include—*

6                       *(A) a program for implementation of the*  
 7                       *management plan by the management entity,*  
 8                       *including—*

9                               *(i) plans for restoration, stabilization,*  
 10                               *rehabilitation, and construction of public or*  
 11                               *tribal property; and*

12                               *(ii) specific commitments by the iden-*  
 13                               *tified partners referred to in section*  
 14                               *2105(b)(4) for the first 5 years of operation;*  
 15                               *and*

16                       *(B) an interpretation plan for the Heritage*  
 17                       *Route; and*

18               *(4) develop a management plan that will not in-*  
 19       *fringe on private property rights without the consent*  
 20       *of the owner of the private property.*

21       *(c) FAILURE TO SUBMIT.—If the management entity*  
 22       *fails to submit a management plan to the Secretary in ac-*  
 23       *cordance with subsection (a), the Heritage Route shall no*  
 24       *longer qualify for Federal funding.*

1       (d) *APPROVAL AND DISAPPROVAL OF MANAGEMENT*  
 2 *PLAN.*—

3           (1) *IN GENERAL.*—*Not later than 90 days after*  
 4 *receipt of a management plan under subsection (a),*  
 5 *the Secretary, in consultation with the Governors of*  
 6 *the States of Nevada and Utah, shall approve or dis-*  
 7 *approve the management plan.*

8           (2) *CRITERIA.*—*In determining whether to ap-*  
 9 *prove a management plan, the Secretary shall con-*  
 10 *sider whether the management plan—*

11           (A) *has strong local support from a diver-*  
 12 *sity of landowners, business interests, nonprofit*  
 13 *organizations, and governments associated with*  
 14 *the Heritage Route;*

15           (B) *is consistent with and complements con-*  
 16 *tinued economic activity along the Heritage*  
 17 *Route;*

18           (C) *has a high potential for effective part-*  
 19 *nership mechanisms;*

20           (D) *avoids infringing on private property*  
 21 *rights; and*

22           (E) *provides methods to take appropriate*  
 23 *action to ensure that private property rights are*  
 24 *observed.*

1           (3) *ACTION FOLLOWING DISAPPROVAL.*—If the  
 2       Secretary disapproves a management plan under  
 3       paragraph (1), the Secretary shall—

4                   (A) advise the management entity in writ-  
 5       ing of the reasons for the disapproval;

6                   (B) make recommendations for revisions to  
 7       the management plan; and

8                   (C) not later than 90 days after the receipt  
 9       of any proposed revision of the management  
 10      plan from the management entity, approve or  
 11      disapprove the proposed revision.

12       (e) *IMPLEMENTATION.*—On approval of the manage-  
 13      ment plan as provided in subsection (d)(1), the manage-  
 14      ment entity, in conjunction with the Secretary, shall take  
 15      appropriate steps to implement the management plan.

16       (f) *AMENDMENTS.*—

17           (1) *IN GENERAL.*—The Secretary shall review  
 18      each amendment to the management plan that the  
 19      Secretary determines may make a substantial change  
 20      to the management plan.

21           (2) *USE OF FUNDS.*—Funds made available  
 22      under this title shall not be expended to implement an  
 23      amendment described in paragraph (1) until the Sec-  
 24      retary approves the amendment.

1 **SEC. 2107. AUTHORITY AND DUTIES OF MANAGEMENT ENTI-**  
 2 **TY.**

3 (a) *AUTHORITIES.*—*The management entity may, for*  
 4 *purposes of preparing and implementing the management*  
 5 *plan, use funds made available under this title to—*

6 (1) *make grants to, and enter into cooperative*  
 7 *agreements with, a State (including a political sub-*  
 8 *division), an Indian tribe, a private organization, or*  
 9 *any person; and*

10 (2) *hire and compensate staff.*

11 (b) *DUTIES.*—*In addition to developing the manage-*  
 12 *ment plan, the management entity shall—*

13 (1) *give priority to implementing the memo-*  
 14 *randum of understanding and the management plan,*  
 15 *including taking steps to—*

16 (A) *assist units of government, regional*  
 17 *planning organizations, and nonprofit organiza-*  
 18 *tions in—*

19 (i) *establishing and maintaining inter-*  
 20 *pretive exhibits along the Heritage Route;*

21 (ii) *developing recreational resources*  
 22 *along the Heritage Route;*

23 (iii) *increasing public awareness of*  
 24 *and appreciation for the archaeological, his-*  
 25 *torical, cultural, natural, scenic, and rec-*

1                    *reational resources and sites along the Her-*  
 2                    *itage Route; and*

3                    *(iv) if requested by the owner, restor-*  
 4                    *ing, stabilizing, or rehabilitating any pri-*  
 5                    *vate, public, or tribal historical building re-*  
 6                    *lating to the themes of the Heritage Route;*

7                    *(B) encourage economic viability and diver-*  
 8                    *sity along the Heritage Route in accordance with*  
 9                    *the objectives of the management plan; and*

10                  *(C) encourage the installation of clear, con-*  
 11                  *sistent, and environmentally appropriate signage*  
 12                  *identifying access points and sites of interest*  
 13                  *along the Heritage Route;*

14                  *(2) consider the interests of diverse governmental,*  
 15                  *business, and nonprofit groups associated with the*  
 16                  *Heritage Route;*

17                  *(3) conduct public meetings in the region of the*  
 18                  *Heritage Route at least semiannually regarding the*  
 19                  *implementation of the management plan;*

20                  *(4) submit substantial amendments (including*  
 21                  *any increase of more than 20 percent in the cost esti-*  
 22                  *mates for implementation) to the management plan to*  
 23                  *the Secretary for approval by the Secretary; and*

24                  *(5) for any year for which Federal funds are re-*  
 25                  *ceived under this title—*



1           (A) submit to the Secretary a report that  
2 describes, for the year—

3           (i) the accomplishments of the manage-  
4 ment entity;

5           (ii) the expenses and income of the  
6 management entity; and

7           (iii) each entity to which any loan or  
8 grant was made;

9           (B) make available for audit all records  
10 pertaining to the expenditure of the funds and  
11 any matching funds; and

12           (C) require, for all agreements authorizing  
13 the expenditure of Federal funds by any entity,  
14 that the receiving entity make available for audit  
15 all records pertaining to the expenditure of the  
16 funds.

17       (c) *PROHIBITION ON THE ACQUISITION OF REAL*  
18 *PROPERTY.*—The management entity shall not use Federal  
19 funds made available under this title to acquire real prop-  
20 erty or any interest in real property.

21       (d) *PROHIBITION ON THE REGULATION OF LAND*  
22 *USE.*—The management entity shall not regulate land use  
23 within the Heritage Route.

1 **SEC. 2108. DUTIES AND AUTHORITIES OF FEDERAL AGEN-**  
 2 **CIES.**

3 (a) *TECHNICAL AND FINANCIAL ASSISTANCE.*—

4 (1) *IN GENERAL.*—*The Secretary may, on re-*  
 5 *quest of the management entity, provide technical and*  
 6 *financial assistance to develop and implement the*  
 7 *management plan and memorandum of under-*  
 8 *standing.*

9 (2) *PRIORITY FOR ASSISTANCE.*—*In providing*  
 10 *assistance under paragraph (1), the Secretary shall,*  
 11 *on request of the management entity, give priority to*  
 12 *actions that assist in—*

13 (A) *conserving the significant archae-*  
 14 *ological, historical, cultural, natural, scenic, and*  
 15 *recreational resources of the Heritage Route; and*

16 (B) *providing education, interpretive, and*  
 17 *recreational opportunities, and other uses con-*  
 18 *sistent with those resources.*

19 (b) *APPLICATION OF FEDERAL LAW.*—*The establish-*  
 20 *ment of the Heritage Route shall have no effect on the appli-*  
 21 *cation of any Federal law to any property within the Herit-*  
 22 *age Route.*

23 **SEC. 2109. LAND USE REGULATION; APPLICABILITY OF FED-**  
 24 **ERAL LAW.**

25 (a) *LAND USE REGULATION.*—*Nothing in this title—*

1           (1) *modifies, enlarges, or diminishes any author-*  
 2           *ity of the Federal, State, tribal, or local government*  
 3           *to regulate by law (including by regulation) any use*  
 4           *of land; or*

5           (2) *grants any power of zoning or land use to*  
 6           *the management entity.*

7           (b) *APPLICABILITY OF FEDERAL LAW.—Nothing in*  
 8           *this title—*

9           (1) *imposes on the Heritage Route, as a result*  
 10          *of the designation of the Heritage Route, any regula-*  
 11          *tion that is not applicable to the area within the Her-*  
 12          *itage Route as of the date of enactment of this Act;*  
 13          *or*

14          (2) *authorizes any agency to promulgate a regula-*  
 15          *tion that applies to the Heritage Route solely as a*  
 16          *result of the designation of the Heritage Route under*  
 17          *this title.*

18   **SEC. 2110. AUTHORIZATION OF APPROPRIATIONS.**

19          (a) *IN GENERAL.—There is authorized to be appro-*  
 20          *priated to carry out this title \$10,000,000, of which not*  
 21          *more than \$1,000,000 may be made available for any fiscal*  
 22          *year.*

23          (b) *COST SHARING.—*

1           (1) *FEDERAL SHARE.*—*The Federal share of the*  
 2           *cost of any activity assisted under this title shall not*  
 3           *exceed 50 percent.*

4           (2) *FORM OF NON-FEDERAL SHARE.*—*The non-*  
 5           *Federal share may be in the form of in-kind contribu-*  
 6           *tions, donations, grants, and loans from individuals*  
 7           *and State or local governments or agencies.*

8   **SEC. 2111. TERMINATION OF AUTHORITY.**

9           *The authority of the Secretary to provide assistance*  
 10          *under this title terminates on the date that is 15 years after*  
 11          *the date of enactment of this Act.*

12   **TITLE XXII—BLEEDING KANSAS**  
 13          **AND ENDURING STRUGGLE**  
 14          **FOR FREEDOM NATIONAL**  
 15          **HERITAGE AREA**

16   **SEC. 2201. SHORT TITLE.**

17          *This title may be cited as the “Bleeding Kansas Na-*  
 18          *tional Heritage Area Act”.*

19   **SEC. 2202. FINDINGS AND PURPOSE.**

20          (a) *FINDINGS.*—*Congress finds the following:*

21               (1) *The Bleeding Kansas National Heritage Area*  
 22               *is a cohesive assemblage of natural, historic, cultural,*  
 23               *and recreational resources that—*

1           (A) together represent distinctive aspects of  
 2           American heritage worthy of recognition, con-  
 3           servation, interpretation, and continuing use;

4           (B) are best managed through partnerships  
 5           between private and public entities; and

6           (C) will build upon the Kansas rural devel-  
 7           opment policy and the new homestead act to rec-  
 8           ognize inherent strengths of small towns and  
 9           rural communities—close-knit communities,  
 10          strong local business networks, and a tradition of  
 11          entrepreneurial creativity.

12          (2) *The Bleeding Kansas National Heritage Area*  
 13          *reflects traditions, customs, beliefs, folk life, or some*  
 14          *combination thereof, that are a valuable part of the*  
 15          *heritage of the United States.*

16          (3) *The Bleeding Kansas National Heritage Area*  
 17          *provides outstanding opportunities to conserve nat-*  
 18          *ural, cultural, or historic features, or some combina-*  
 19          *tion thereof.*

20          (4) *The Bleeding Kansas National Heritage Area*  
 21          *provides outstanding recreational and interpretive op-*  
 22          *portunities.*

23          (5) *The Bleeding Kansas National Heritage Area*  
 24          *has an identifiable theme, and resources important to*

1     *the theme retain integrity capable of supporting in-*  
 2     *terpretation.*

3             (6) *Residents, nonprofit organizations, other pri-*  
 4     *rate entities, and units of local government through-*  
 5     *out the Bleeding Kansas National Heritage Area*  
 6     *demonstrate support for designation of the Bleeding*  
 7     *Kansas National Heritage Area as a national herit-*  
 8     *age area and for management of the Bleeding Kansas*  
 9     *National Heritage Area as appropriate for such des-*  
 10    *ignation.*

11            (7) *Capturing these interconnected stories*  
 12    *through partnerships with National Park Service*  
 13    *sites, Kansas State Historical Society sites, local or-*  
 14    *ganizations, and citizens will augment the story op-*  
 15    *portunities within the prospective boundary for the*  
 16    *educational and recreational benefit of this and future*  
 17    *generations of Americans.*

18            (8) *Communities throughout this region know*  
 19    *the value of their Bleeding Kansas legacy, but require*  
 20    *expansion of the existing cooperative framework to*  
 21    *achieve key preservation, education, and other signifi-*  
 22    *cant goals by working more closely together.*

23            (9) *The State of Kansas officially recognized the*  
 24    *national significance of the Bleeding Kansas story*  
 25    *when it designated the heritage area development as*

1        *a significant strategic goal within the statewide eco-*  
 2        *nomie development plan.*

3            *(10) Territorial Kansas Heritage Alliance is a*  
 4        *nonprofit corporation created for the purposes of pre-*  
 5        *serving, interpreting, developing, promoting and,*  
 6        *making available to the public the story and resources*  
 7        *related to the story of Bleeding Kansas and the En-*  
 8        *during Struggle for Freedom.*

9            *(11) Territorial Kansas Heritage Alliance has*  
 10       *completed a study that—*

11            *(A) describes in detail the role, operation,*  
 12        *financing, and functions of Territorial Kansas*  
 13        *Heritage Alliance, the management entity; and*

14            *(B) provides adequate assurances that Ter-*  
 15        *ritorial Kansas Heritage Alliance, the manage-*  
 16        *ment entity, is likely to have the financial re-*  
 17        *sources necessary to implement the management*  
 18        *plan for the Heritage Area, including resources*  
 19        *to meet matching requirement for grants.*

20            *(12) There are at least 7 National Historic*  
 21        *Landmarks, 32 National Register properties, 3 Kan-*  
 22        *sas Register properties, and 7 properties listed on the*  
 23        *National Underground Railroad Network to Freedom*  
 24        *that contribute to the Heritage Area as well as other*

1       *significant properties that have not been designated*  
 2       *at this time.*

3               *(13) There is an interest in interpreting all sides*  
 4       *of the Bleeding Kansas story that requires further*  
 5       *work with several counties in Missouri interested in*  
 6       *joining the area.*

7               *(14) In 2004, the State of Kansas is commemo-*  
 8       *rating the Sesquicentennial of the signing of the Kan-*  
 9       *sas-Nebraska Act, opening the territory to settlement.*  
 10       *(b) PURPOSES.—The purposes of this title are as fol-*  
 11       *lows:*

12               *(1) To designate a region in eastern Kansas and*  
 13       *western Missouri containing nationally important*  
 14       *natural, historic, and cultural resources and rec-*  
 15       *reational and educational opportunities that are geo-*  
 16       *graphically assembled and thematically related as*  
 17       *areas that provide unique frameworks for under-*  
 18       *standing the great and diverse character of the United*  
 19       *States and the development of communities and their*  
 20       *surroundings as the Bleeding Kansas National Herit-*  
 21       *age Area.*

22               *(2) To strengthen, complement, and support the*  
 23       *Fort Scott, Brown v. Board of Education, Nicodemus*  
 24       *and Tallgrass Prairie sites through the interpretation*  
 25       *and conservation of the associated living landscapes*



1       *outside of the boundaries of these units of the Na-*  
 2       *tional Park System.*

3           (3) *To describe the extent of Federal responsibil-*  
 4       *ities and duties in regard to the Heritage Area.*

5           (4) *To further collaboration and partnerships*  
 6       *among Federal, State, and local governments, non-*  
 7       *profit organizations, and the private sector, or com-*  
 8       *binations thereof, to conserve and manage the re-*  
 9       *sources and opportunities in the Heritage Area*  
 10      *through grants, technical assistance, training and*  
 11      *other means.*

12          (5) *To authorize Federal financial and technical*  
 13      *assistance to management entity to assist in the con-*  
 14      *servation and interpretation of the Heritage Area.*

15          (6) *To empower communities and organizations*  
 16      *in Kansas to preserve the special historic identity of*  
 17      *Bleeding Kansas and with it the identity of the Na-*  
 18      *tion.*

19          (7) *To provide for the management, preservation,*  
 20      *protection, and interpretation of the natural, histor-*  
 21      *ical, and cultural resources within the region for the*  
 22      *educational and inspirational benefit of current and*  
 23      *future generations.*

24          (8) *To provide greater community capacity*  
 25      *through inter-local cooperation.*

1           (9) *To provide a vehicle, particularly in the four*  
 2           *counties with high out-migration of population, to*  
 3           *recognize that self-reliance and resilience will be the*  
 4           *keys to their economic future.*

5           (10) *To build upon the Kansas rural develop-*  
 6           *ment policy, the Kansas agritourism initiative and*  
 7           *the new homestead act to recognize inherent strengths*  
 8           *of small towns and rural communities—close-knit*  
 9           *communities, strong local business networks, and a*  
 10          *tradition of entrepreneurial creativity.*

11          (11) *To educate and cultivate among its citizens,*  
 12          *particularly its youth, the stories and cultural re-*  
 13          *sources of the region’s legacy that—*

14                (A) *reflect the popular phrase “Bleeding*  
 15                *Kansas” describing the conflict over slavery that*  
 16                *became nationally prominent in Kansas just be-*  
 17                *fore and during the American Civil War;*

18                (B) *reflect the commitment of American set-*  
 19                *tlers who first fought and killed to uphold their*  
 20                *different and irreconcilable principles of freedom*  
 21                *and equality during the years of the Kansas*  
 22                *Conflict;*

23                (C) *reflect the struggle for freedom, experi-*  
 24                *enced during the “Bleeding Kansas” era, that*  
 25                *continues to be a vital and pressing issue associ-*

1        *ated with the real problem of democratic nation*  
 2        *building; and*

3                *(D) recreate the physical environment re-*  
 4        *vealing its impact on agriculture, transpor-*  
 5        *tation, trade and business, and social and cul-*  
 6        *tural patterns in urban and rural settings.*

7                *(12) To interpret the effect of the era's demo-*  
 8        *cratic ethos on the development of America's distinc-*  
 9        *tive political culture.*

10    **SEC. 2203. DEFINITIONS.**

11        *For the purposes of this title:*

12                *(1) MANAGEMENT ENTITY.—The term “manage-*  
 13        *ment entity” means Territorial Kansas Heritage Alli-*  
 14        *ance, recognized by the Secretary, in consultation*  
 15        *with the chief executive officer of the State of Kansas,*  
 16        *that agrees to perform the duties of a local coordi-*  
 17        *nating entity under this title.*

18                *(2) HERITAGE AREA.—The term “Heritage*  
 19        *Area” means the Bleeding Kansas and the Enduring*  
 20        *Struggle for Freedom National Heritage Area in east-*  
 21        *ern Kansas and western Missouri.*

22                *(3) SECRETARY.—The term “Secretary” means*  
 23        *the Secretary of the Interior.*

24                *(4) UNIT OF LOCAL GOVERNMENT.—The term*  
 25        *“unit of local government” means the government of*

1        *a State, a political subdivision of a State, or an In-*  
 2        *dian tribe.*

3    **SEC. 2204. BLEEDING KANSAS AND THE ENDURING STRUG-**  
 4                    **GLE FOR FREEDOM NATIONAL HERITAGE**  
 5                    **AREA.**

6        (a) *ESTABLISHMENT.*—*There is established in the*  
 7        *State of Kansas the Bleeding Kansas and the Enduring*  
 8        *Struggle for Freedom National Heritage Area.*

9        (b) *BOUNDARIES.*—*The Heritage Area shall include*  
 10       *the following:*

11            (1) *An area located in eastern Kansas and west-*  
 12            *ern Missouri, consisting currently of Allen, Anderson,*  
 13            *Bourbon, Cherokee, Clay, Coffey, Crawford, Douglas,*  
 14            *Franklin, Geary, Johnson, Labette, Leavenworth,*  
 15            *Linn, Miami, Neosho, Pottawatomie, Riley, Shawnee,*  
 16            *Wabaunsee, Wilson, Woodson, Wyandotte Counties in*  
 17            *Kansas and tentatively including additional counties*  
 18            *in Kansas and western Missouri to be included in the*  
 19            *development of the management plan.*

20            (2) *Contributing sites, buildings, and districts*  
 21            *within the area will be recommended by the manage-*  
 22            *ment plan.*

23            (c) *MAP.*—*Final boundary will be defined during the*  
 24            *management plan development. A map of the Heritage Area*  
 25            *shall be included in the management plan. The map shall*

1 *be on file in the appropriate offices of the National Park*  
 2 *Service, Department of the Interior.*

3       (d) *MANAGEMENT ENTITY.*—*The management entity*  
 4 *for the Heritage Area shall be Territorial Kansas Heritage*  
 5 *Alliance, a nonprofit organization established in the State*  
 6 *of Kansas, recognized by the Secretary, in consultation with*  
 7 *the chief executive officer of the State of Kansas, that agrees*  
 8 *to perform the duties of a local coordinating entity under*  
 9 *this title.*

10 **SEC. 2205. AUTHORITIES, DUTIES, AND PROHIBITIONS OF**  
 11 **THE MANAGEMENT ENTITY.**

12       (a) *AUTHORITIES.*—*The management entity may, for*  
 13 *purposes of preparing and implementing the management*  
 14 *plan, use funds made available under this title to—*

15               (1) *prepare a management plan for the Heritage*  
 16 *Area;*

17               (2) *prepare reports, studies, interpretive exhibits*  
 18 *and programs, historic preservation projects, and*  
 19 *other activities recommended in the management plan*  
 20 *for the Heritage Area;*

21               (3) *pay for operational expenses of the manage-*  
 22 *ment entity incurred within the first 10 fiscal years*  
 23 *beginning after the date of the enactment of this Act*  
 24 *designating the Heritage Area;*

1           (4) *make grants or loans to entities defined in*  
 2           *the management plan;*

3           (5) *enter into cooperative agreements with the*  
 4           *State of Kansas, its political subdivisions, nonprofit*  
 5           *organizations, and other organizations;*

6           (6) *hire and compensate staff;*

7           (7) *obtain money from any source under any*  
 8           *program or law to be used for a regrant program re-*  
 9           *quiring the recipient of such money to make a con-*  
 10          *tribution in order to receive it;*

11          (8) *contract for goods and services; and*

12          (9) *offer a competitive grants program to con-*  
 13          *tributing partners requiring a dollar-for-dollar match*  
 14          *of Federal funds.*

15          (b) *DUTIES OF THE MANAGEMENT ENTITY.—In addi-*  
 16          *tion to developing the management plan, the management*  
 17          *entity shall—*

18               (1) *give priority to the implementation of ac-*  
 19               *tions, goals, strategies, and standards set forth in the*  
 20               *management plan, including assisting units of gov-*  
 21               *ernment and other persons in—*

22                       (A) *encouraging economic viability in the*  
 23                       *Heritage Area in accordance with the goals of*  
 24                       *the management plan;*

1                   (B) establishing interpretive exhibits in the  
2                   Heritage Area;

3                   (C) increasing public awareness of and ap-  
4                   preciation for the cultural, historical, and nat-  
5                   ural resources of the Heritage Area;

6                   (D) supporting the restoration of historic  
7                   buildings that are—

8                   (i) located in the Heritage Area; and

9                   (ii) related to the themes of the Herit-  
10                  age Area;

11                  (E) the conservation of contributing land-  
12                  scapes and natural resources; and

13                  (F) the installation throughout the Heritage  
14                  Area of signs identifying public access points  
15                  and sites of interest;

16                  (2) prepare and implement the management  
17                  plan while considering the interests of diverse units of  
18                  government, businesses, private property owners, and  
19                  nonprofit groups within the Heritage Area;

20                  (3) conduct public meetings in conjunction with  
21                  training and skill building workshops regarding the  
22                  development and implementation of the management  
23                  plan; and

24                  (4) for any fiscal year for which Federal funds  
25                  are received under this title—

1           (A) submit to the Secretary a report that  
2 describes, for the year—

3           (i) accomplishments of the manage-  
4 ment entity;

5           (ii) expenses and income of the man-  
6 agement entity;

7           (iii) each entity to which a grant was  
8 made; and

9           (iv) an accounting of matching funds  
10 obtained to meet grant guidelines;

11          (B) conduct an annual audit with a neutral  
12 auditing firm and make available for audit by  
13 Congress, the Secretary, and appropriate units of  
14 government, all records pertaining to the expend-  
15 iture of the funds and any matching funds; and

16          (C) require, for all agreements authorizing  
17 expenditure of Federal funds by any entity, that  
18 the receiving entity make available for audit all  
19 records pertaining to the expenditure of their  
20 funds.

21          (c) *PROHIBITION OF ACQUISITION OF REAL PROP-*  
22 *ERTY.*—The management entity shall not use Federal funds  
23 received under this title to acquire real property or an in-  
24 terest in real property.



1       (d) *OTHER SOURCES.*—Nothing in this title precludes  
 2   the management entity from using Federal funds from other  
 3   sources for authorized purposes.

4   **SEC. 2206. MANAGEMENT PLAN.**

5       (a) *REQUIREMENTS.*—The management entity shall:

6           (1) *MANAGEMENT PLAN.*—Not later than 3 years  
 7   after the date funds are made available for this pur-  
 8   pose, prepare and submit a management plan re-  
 9   viewed by participating units of local government  
 10   within the boundaries of the proposed Heritage Area.

11          (2) *COLLABORATION.*—Collaborate with and con-  
 12   sider the interests of diverse units of government,  
 13   businesses, tourism officials, private property owners,  
 14   and nonprofit groups within the geographic area of  
 15   the Heritage Area in developing and implementing  
 16   such a management plan.

17          (3) *PUBLIC INVOLVEMENT.*—Ensure regular pub-  
 18   lic involvement, including public meetings at least  
 19   annually, regarding the implementation of the man-  
 20   agement plan.

21       (b) *CONTENTS OF MANAGEMENT PLAN.*—The manage-  
 22   ment plan prepared for the Heritage Area shall—

23           (1) present a comprehensive program for the con-  
 24   servation, interpretation, funding, management, and  
 25   development of the Heritage Area, in a manner con-

1        *sistent with the existing local, State, and Federal*  
 2        *land use laws and compatible economic viability of*  
 3        *the Heritage Area;*

4            (2) *establish criteria or standards to measure*  
 5        *what is selected for conservation, interpretation, fund-*  
 6        *ing, management, and development;*

7            (3) *involve residents, public agencies, and pri-*  
 8        *vate organizations working in the Heritage Area;*

9            (4) *specify and coordinate, as of the date of the*  
 10       *management plan, existing and potential sources of*  
 11       *technical and financial assistance under this and*  
 12       *other Federal laws to protect, manage, and develop*  
 13       *the Heritage Area; and*

14           (5) *include—*

15                (A) *actions to be undertaken by units of*  
 16                *government and private organizations to protect,*  
 17                *conserve, and interpret the resources of the Her-*  
 18                *itage Area;*

19                (B) *an inventory of the resources contained*  
 20                *in the Heritage Area, including a list of any*  
 21                *property in the Heritage Area that is related to*  
 22                *the themes of the Heritage Area and that meets*  
 23                *the establishing criteria (such as, but not exclu-*  
 24                *sive to, visitor readiness) to merit preservation,*  
 25                *restoration, management, development, or main-*

1           *tenance because of its natural, cultural, histor-*  
 2           *ical, or recreational significance;*

3           (C) *policies for resource management in-*  
 4           *cluding the development of intergovernmental co-*  
 5           *operative agreements, private sector agreements,*  
 6           *or any combination thereof, to protect the histor-*  
 7           *ical, cultural, recreational, and natural resources*  
 8           *of the Heritage Area in a manner consistent*  
 9           *with supporting appropriate and compatible eco-*  
 10          *nomics viability;*

11          (D) *a program for implementation of the*  
 12          *management plan by the designated management*  
 13          *entity, in cooperation with its partners and*  
 14          *units of local government;*

15          (E) *evidence that relevant State, county,*  
 16          *and local plans applicable to the Heritage Area*  
 17          *have been taken into consideration;*

18          (F) *an analysis of ways in which local,*  
 19          *State, and Federal programs may best be coordi-*  
 20          *nated to promote the purposes of this title; and*

21          (G) *a business plan that—*

22               (i) *describes in detail the role, oper-*  
 23               *ation, financing, and functions of the man-*  
 24               *agement entity for each activity included in*

1           *the recommendations contained in the man-*  
 2           *agement plan; and*

3                   (ii) *provides, to the satisfaction of the*  
 4           *Secretary, adequate assurances that the*  
 5           *management entity is likely to have the fi-*  
 6           *nancial resources necessary to implement*  
 7           *the management plan for the Heritage Area,*  
 8           *including resources to meet matching re-*  
 9           *quirement for grants awarded under this*  
 10          *title.*

11          (c) *PUBLIC NOTICE.*—*The management entity shall*  
 12          *place a notice of each of its public meetings in a newspaper*  
 13          *of general circulation in the Heritage Area and shall make*  
 14          *the minutes of the meeting available to the public.*

15          (d) *DISQUALIFICATION FROM FUNDING.*—*If a pro-*  
 16          *posed management plan is not submitted to the Secretary*  
 17          *within 4 years of the date of the enactment of this Act, the*  
 18          *management entity shall be ineligible to receive additional*  
 19          *funding under this title until the date on which the Sec-*  
 20          *retary receives the proposed management plan.*

21          (e) *APPROVAL AND DISAPPROVAL OF MANAGEMENT*  
 22          *PLAN.*—*The Secretary shall approve or disapprove the pro-*  
 23          *posed management plan submitted under this title not later*  
 24          *than 90 days after receiving such proposed management*  
 25          *plan.*

1       (f) *ACTION FOLLOWING DISAPPROVAL.*—If the Sec-  
 2       retary disapproves a proposed management plan, the Sec-  
 3       retary shall advise the management entity in writing of the  
 4       reasons for the disapproval and shall make recommenda-  
 5       tions for revisions to the proposed management plan. The  
 6       Secretary shall approve or disapprove a proposed revision  
 7       within 90 days after the date it is submitted.

8       (g) *APPROVAL OF AMENDMENTS.*—The Secretary shall  
 9       review and approve substantial amendments to the manage-  
 10      ment plan. Funds appropriated under this title may not  
 11      be expended to implement any changes made by such  
 12      amendment until the Secretary approves the amendment.

13   **SEC. 2207. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER**  
 14                                   **FEDERAL AGENCIES.**

15       (a) *TECHNICAL AND FINANCIAL ASSISTANCE.*—

16           (1) *IN GENERAL.*—On the request of the manage-  
 17      ment entity, the Secretary may provide technical and  
 18      financial assistance for the development and imple-  
 19      mentation of the management plan.

20           (2) *PRIORITY FOR ASSISTANCE.*—In providing  
 21      assistance under paragraph (1), the Secretary shall  
 22      give priority to actions that assist in—

23                   (A) conserving the significant cultural, his-  
 24                   toric, and natural resources of the Heritage  
 25                   Area; and

1                   (B) providing educational, interpretive, and  
 2                   recreational opportunities consistent with the  
 3                   purposes of the Heritage Area.

4                   (3) *SPENDING FOR NON-FEDERAL PROPERTY.*—  
 5                   *The management entity may expend Federal funds*  
 6                   *made available under this title on non-Federal prop-*  
 7                   *erty that—*

8                   (A) *meets the criteria in the approved man-*  
 9                   *agement plan; or*

10                  (B) *is listed or eligible for listing on the*  
 11                  *National Register of Historic Places.*

12                  (4) *OTHER ASSISTANCE.*—*The Secretary may*  
 13                  *enter into cooperative agreements with public and*  
 14                  *private organizations to carry out this subsection.*

15                  (b) *OTHER FEDERAL AGENCIES.*—*Any Federal entity*  
 16                  *conducting or supporting an activity that directly affects*  
 17                  *the Heritage Area shall—*

18                  (1) *consider the potential effect of the activity on*  
 19                  *the purposes of the Heritage Area and the manage-*  
 20                  *ment plan;*

21                  (2) *consult with the management entity regard-*  
 22                  *ing the activity; and*

23                  (3) *to the maximum extent practicable, conduct*  
 24                  *or support the activity to avoid adverse effects on the*  
 25                  *Heritage Area.*

1       (c) *OTHER ASSISTANCE NOT AFFECTED.*—*This title*  
 2       *does not affect the authority of any Federal official to pro-*  
 3       *vide technical or financial assistance under any other law.*

4       (d) *NOTIFICATION OF OTHER FEDERAL ACTIVITIES.*—  
 5       *The head of each Federal agency shall provide to the Sec-*  
 6       *retary and the management entity, to the extent practicable,*  
 7       *advance notice of all activities that may have an impact*  
 8       *on the Heritage Area.*

9       **SEC. 2208. PRIVATE PROPERTY PROTECTION.**

10       (a) *ACCESS TO PRIVATE PROPERTY.*—*Nothing in this*  
 11       *title shall be construed to require any private property*  
 12       *owner to permit public access (including Federal, State, or*  
 13       *local government access) to such private property. Nothing*  
 14       *in this title shall be construed to modify any provision of*  
 15       *Federal, State, or local law with regard to public access*  
 16       *to or use of private lands.*

17       (b) *LIABILITY.*—*Designation of the Heritage Area*  
 18       *shall not be considered to create any liability, or to have*  
 19       *any effect on any liability under any other law, of any pri-*  
 20       *vate property owner with respect to any persons injured*  
 21       *on such private property.*

22       (c) *RECOGNITION OF AUTHORITY TO CONTROL LAND*  
 23       *USE.*—*Nothing in this title shall be construed to modify*  
 24       *any authority of Federal, State, or local governments to reg-*  
 25       *ulate land use.*

1       (d) *PARTICIPATION OF PRIVATE PROPERTY OWNERS*  
 2 *IN HERITAGE AREAS.*—*Nothing in this title shall be con-*  
 3 *strued to require the owner of any private property located*  
 4 *within the boundaries of the Heritage Area to participate*  
 5 *in or be associated with the Heritage Area.*

6       (e) *LAND USE REGULATION.*—

7           (1) *IN GENERAL.*—*The management entity shall*  
 8 *provide assistance and encouragement to State and*  
 9 *local governments, private organizations, and persons*  
 10 *to protect and promote the resources and values of the*  
 11 *Heritage Area.*

12          (2) *EFFECT.*—*Nothing in this title—*

13           (A) *affects the authority of the State or local*  
 14 *governments to regulate under law any use of*  
 15 *land; or*

16           (B) *grants any power of zoning or land use*  
 17 *to the management entity.*

18       (f) *PRIVATE PROPERTY.*—

19           (1) *IN GENERAL.*—*The management entity shall*  
 20 *be an advocate for land management practices con-*  
 21 *sistent with the purposes of the Heritage Area.*

22          (2) *EFFECT.*—*Nothing in this title—*

23           (A) *abridges the rights of any person with*  
 24 *regard to private property;*



1                   (B) affects the authority of the State or  
 2                   local government regarding private property; or  
 3                   (C) imposes any additional burden on any  
 4                   property owner.

5 **SEC. 2209. REQUIREMENTS FOR INCLUSION OF PRIVATE**  
 6 **PROPERTY.**

7           (a) *NOTIFICATION AND CONSENT OF PROPERTY OWN-*  
 8 *ERS REQUIRED.*—No privately owned property shall be  
 9 governed by the management plan for the Heritage Area  
 10 until the owner of that private property has been notified  
 11 in writing by the management entity and has given written  
 12 consent for such inclusion to the management entity.

13           (b) *LANDOWNER WITHDRAW.*—Any owner of private  
 14 property included within the boundary of the Heritage  
 15 Area, and not notified under subsection (a), shall have their  
 16 property immediately removed from the boundary by sub-  
 17 mitting a written request to the management entity.

18 **SEC. 2210. SAVINGS PROVISIONS.**

19           (a) *RULES, REGULATIONS, STANDARDS, AND PERMIT*  
 20 *PROCESSES.*—Nothing in this title shall be construed to im-  
 21 pose any environmental, occupational, safety, or other rule,  
 22 regulation, standard, or permit process in the Heritage  
 23 Area that is different from those that would be applicable  
 24 if the Heritage Area had not been established.

1       (b) *WATER AND WATER RIGHTS.*—*Nothing in this title*  
 2 *shall be construed to authorize or imply the reservation or*  
 3 *appropriation of water or water rights.*

4       (c) *NO DIMINISHMENT OF STATE AUTHORITY.*—*Noth-*  
 5 *ing in this title shall be construed to diminish the authority*  
 6 *of the State to manage fish and wildlife, including the regu-*  
 7 *lation of fishing and hunting within the Heritage Area.*

8       (d) *EXISTING NATIONAL HERITAGE AREAS.*—*Nothing*  
 9 *in this title shall affect any national heritage area so des-*  
 10 *ignated before the date of the enactment of this Act.*

11 **SEC. 2211. AUTHORIZATION OF APPROPRIATIONS.**

12       (a) *IN GENERAL.*—*There is authorized to be appro-*  
 13 *priated to carry out this title \$10,000,000, of which not*  
 14 *more than \$1,000,000 may be authorized to be appropriated*  
 15 *for any fiscal year.*

16       (b) *COST-SHARING REQUIREMENT.*—*The Federal*  
 17 *share of the total cost of any activity assisted under this*  
 18 *title shall be not more than 50 percent.*

19 **SEC. 2212. TERMINATION OF AUTHORITY.**

20       *The authority of the Secretary to provide assistance*  
 21 *under this title terminates on the date that is 10 years after*  
 22 *the date of the enactment of this Act.*

1 **TITLE** **XXIII—NATIONAL**  
 2 **MORMON PIONEER HERITAGE**  
 3 **AREA**

4 **SEC. 2301. SHORT TITLE.**

5 *This title may be cited as the “National Mormon Pio-*  
 6 *neer Heritage Area Act”.*

7 **SEC. 2302. FINDINGS AND PURPOSE.**

8 *(a) FINDINGS.—Congress finds that—*

9 *(1) the historical, cultural, and natural heritage*  
 10 *legacies of Mormon colonization and settlement are*  
 11 *nationally significant;*

12 *(2) in the area starting along the Highway 89*  
 13 *corridor at the Arizona border, passing through Kane,*  
 14 *Garfield, Piute, Sevier, Wayne, and Sanpete Counties*  
 15 *in the State of Utah, and terminating in Fairview,*  
 16 *Utah, there are a variety of heritage resources that*  
 17 *demonstrate—*

18 *(A) the colonization of the western United*  
 19 *States; and*

20 *(B) the expansion of the United States as a*  
 21 *major world power;*

22 *(3) the great relocation to the western United*  
 23 *States was facilitated by—*

24 *(A) the 1,400 mile trek from Illinois to the*  
 25 *Great Salt Lake by the Mormon pioneers; and*

1                   (B) the subsequent colonization effort in Ne-  
 2                   vada, Utah, the southeast corner of Idaho, the  
 3                   southwest corner of Wyoming, large areas of  
 4                   southeastern Oregon, much of southern Cali-  
 5                   fornia, and areas along the eastern border of  
 6                   California;

7                   (4) the 250-mile Highway 89 corridor from  
 8                   Kanab to Fairview, Utah, contains some of the best  
 9                   features of the Mormon colonization experience in the  
 10                  United States;

11                  (5) the landscape, architecture, traditions, be-  
 12                  liefs, folk life, products, and events along Highway 89  
 13                  convey the heritage of the pioneer settlement;

14                  (6) the Boulder Loop, Capitol Reef National  
 15                  Park, Zion National Park, Bryce Canyon National  
 16                  Park, and the Highway 89 area convey the compel-  
 17                  ling story of how early settlers—

18                         (A) interacted with Native Americans; and

19                         (B) established towns and cities in a harsh,  
 20                         yet spectacular, natural environment;

21                  (7) the colonization and settlement of the Mor-  
 22                  mon settlers opened up vast amounts of natural re-  
 23                  sources, including coal, uranium, silver, gold, and  
 24                  copper;

1           (8) *the Mormon colonization played a significant*  
 2           *role in the history and progress of the development*  
 3           *and settlement of the western United States; and*

4           (9) *the artisans, crafters, innkeepers, outfitters,*  
 5           *historic landscape, customs, national parks, and ar-*  
 6           *chitecture in the Heritage Area make the Heritage*  
 7           *Area unique.*

8           (b) *PURPOSE.—The purpose of this title is to establish*  
 9           *the Heritage Area to—*

10           (1) *foster a close working relationship with all*  
 11           *levels of government, the private sector, residents,*  
 12           *business interests, and local communities in the State;*

13           (2) *empower communities in the State to con-*  
 14           *serve, preserve, and enhance the heritage of the com-*  
 15           *munities while strengthening future economic oppor-*  
 16           *tunities;*

17           (3) *conserve, interpret, and develop the histor-*  
 18           *ical, cultural, natural, and recreational resources*  
 19           *within the Heritage Area; and*

20           (4) *expand, foster, and develop heritage busi-*  
 21           *nesses and products relating to the cultural heritage*  
 22           *of the Heritage Area.*

23 **SEC. 2303. DEFINITIONS.**

24           *In this title:*

1           (1) *ALLIANCE.*—*The term “Alliance” means the*  
 2           *Utah Heritage Highway 89 Alliance.*

3           (2) *BOARD.*—*The term “Board” means the*  
 4           *Board of Directors of the Alliance.*

5           (3) *HERITAGE AREA.*—*The term “Heritage*  
 6           *Area” means the National Mormon Pioneer Heritage*  
 7           *Area established by section 2304(a).*

8           (4) *MANAGEMENT PLAN.*—*The term “manage-*  
 9           *ment plan” means the plan developed by the Board*  
 10          *under section 2306(a).*

11          (5) *SECRETARY.*—*The term “Secretary” means*  
 12          *the Secretary of the Interior.*

13          (6) *STATE.*—*The term “State” means the State*  
 14          *of Utah.*

15 **SEC. 2304. NATIONAL MORMON PIONEER HERITAGE AREA.**

16          (a) *ESTABLISHMENT.*—*There is established the Na-*  
 17          *tional Mormon Pioneer Heritage Area.*

18          (b) *BOUNDARIES.*—

19               (1) *IN GENERAL.*—*The boundaries of the Herit-*  
 20               *age Area shall include areas in the State that are—*

21                       (A) *related to the corridors—*

22                               (i) *from the Arizona border northward*  
 23                               *through Kanab, Utah, and to the intersec-*  
 24                               *tion of Highway 89 and Highway 12, in-*  
 25                               *cluding Highway 12 and Highway 24 as*

1                    *those highways loop off Highway 89 and re-*  
 2                    *join Highway 89 at Sigurd;*

3                    *(ii) from Highway 89 at the intersec-*  
 4                    *tion of Highway 12 through Panguitch,*  
 5                    *Junction, Marysvale, and Sevier County to*  
 6                    *Sigurd;*

7                    *(iii) continuing northward along*  
 8                    *Highway 89 through Axtell and Sterling,*  
 9                    *Sanpete County, to Fairview, Sanpete*  
 10                    *County, at the junction with Utah Highway*  
 11                    *31; and*

12                    *(iv) continuing northward along High-*  
 13                    *way 89 through Fairview and Thistle Junc-*  
 14                    *tion, to the junction with Highway 6; and*

15                    *(B) located in the following communities:*

16                    *Kanab, Mt. Carmel, Orderville, Glendale, Alton,*  
 17                    *Cannonville, Tropic, Henrieville, Escalante,*  
 18                    *Boulder, Teasdale, Fruita, Hanksville, Torrey,*  
 19                    *Bicknell, Loa, Hatch, Panguitch, Circleville, An-*  
 20                    *timony, Junction, Marysvale, Koosharem, Sevier,*  
 21                    *Joseph, Monroe, Elsinore, Richfield, Glenwood,*  
 22                    *Sigurd, Aurora, Salina, Mayfield, Sterling,*  
 23                    *Gunnison, Fayette, Manti, Ephraim, Spring*  
 24                    *City, Mt. Pleasant, Moroni, Fountain Green,*  
 25                    *and Fairview.*

1           (2) *MAP.*—*The Secretary shall prepare a map of*  
 2           *the Heritage Area, which shall be on file and avail-*  
 3           *able for public inspection in the office of the Director*  
 4           *of the National Park Service.*

5           (3) *NOTICE TO LOCAL GOVERNMENTS.*—*The Alli-*  
 6           *ance shall provide to the government of each city,*  
 7           *town, and county that has jurisdiction over property*  
 8           *proposed to be included in the Heritage Area written*  
 9           *notice of the proposed inclusion.*

10          (c) *ADMINISTRATION.*—*The Heritage Area shall be ad-*  
 11          *ministered in accordance with this title.*

12   **SEC. 2305. DESIGNATION OF ALLIANCE AS MANAGEMENT**  
 13                           **ENTITY.**

14          (a) *IN GENERAL.*—*The Alliance shall be the manage-*  
 15          *ment entity for the Heritage Area.*

16          (b) *FEDERAL FUNDING.*—

17               (1) *AUTHORIZATION TO RECEIVE FUNDS.*—*The*  
 18               *Alliance may receive amounts made available to*  
 19               *carry out this title.*

20               (2) *DISQUALIFICATION.*—*If a management plan*  
 21               *is not submitted to the Secretary as required under*  
 22               *section 2306 within the time period specified in that*  
 23               *section, the Alliance may not receive Federal funding*  
 24               *under this title until a management plan is sub-*  
 25               *mitted to the Secretary.*



1       (c) *USE OF FEDERAL FUNDS.*—*The Alliance may, for*  
 2 *the purposes of developing and implementing the manage-*  
 3 *ment plan, use Federal funds made available under this*  
 4 *title—*

5           (1) *to make grants and loans to the State, polit-*  
 6 *ical subdivisions of the State, nonprofit organizations,*  
 7 *and other persons;*

8           (2) *to enter into cooperative agreements with or*  
 9 *provide technical assistance to the State, political*  
 10 *subdivisions of the State, nonprofit organizations,*  
 11 *and other organizations;*

12          (3) *to hire and compensate staff;*

13          (4) *to obtain funds from any source under any*  
 14 *program or law requiring the recipient of funds to*  
 15 *make a contribution in order to receive the funds; and*

16          (5) *to contract for goods and services.*

17       (d) *PROHIBITION OF ACQUISITION OF REAL PROP-*  
 18 *ERTY.*—*The Alliance may not use Federal funds received*  
 19 *under this title to acquire real property or any interest in*  
 20 *real property.*

21 **SEC. 2306. MANAGEMENT OF THE HERITAGE AREA.**

22       (a) *HERITAGE AREA MANAGEMENT PLAN.*—

23           (1) *DEVELOPMENT AND SUBMISSION FOR RE-*  
 24 *VIEW.*—*Not later than 3 years after the date of enact-*  
 25 *ment of this Act, the Board, with public participa-*

tion, shall develop and submit for review to the Secretary a management plan for the Heritage Area.

(2) CONTENTS.—The management plan shall—

(A) present comprehensive recommendations for the conservation, funding, management, and development of the Heritage Area;

(B) take into consideration Federal, State, county, and local plans in effect on the date of enactment of this Act;

(C) involve residents, public agencies, and private organizations in the Heritage Area;

(D) include a description of actions that units of government and private organizations are recommended to take to protect the resources of the Heritage Area;

(E) specify existing and potential sources of Federal and non-Federal funding for the conservation, management, and development of the Heritage Area; and

(F) include—

(i) an inventory of resources in the Heritage Area that—

(I) includes a list of property in the Heritage Area that should be conserved, restored, managed, developed, or

1                    *maintained because of the historical,*  
 2                    *cultural, or natural significance of the*  
 3                    *property as the property relates to the*  
 4                    *themes of the Heritage Area; and*

5                    *(II) does not include any property*  
 6                    *that is privately owned unless the*  
 7                    *owner of the property consents in writ-*  
 8                    *ing to the inclusion;*

9                    *(ii) a recommendation of policies for*  
 10                    *resource management that consider the ap-*  
 11                    *plication of appropriate land and water*  
 12                    *management techniques, including policies*  
 13                    *for the development of intergovernmental co-*  
 14                    *operative agreements to manage the histor-*  
 15                    *ical, cultural, and natural resources and*  
 16                    *recreational opportunities of the Heritage*  
 17                    *Area in a manner that is consistent with*  
 18                    *the support of appropriate and compatible*  
 19                    *economic viability;*

20                    *(iii) a program for implementation of*  
 21                    *the management plan, including plans for*  
 22                    *restoration and construction;*

23                    *(iv) a description of any commitments*  
 24                    *that have been made by persons interested*  
 25                    *in management of the Heritage Area;*

1                   (v) *an analysis of means by which*  
 2                   *Federal, State, and local programs may best*  
 3                   *be coordinated to promote the purposes of*  
 4                   *this title; and*

5                   (vi) *an interpretive plan for the Herit-*  
 6                   *age Area.*

7                   (3) *APPROVAL OR DISAPPROVAL OF THE MAN-*  
 8                   *AGEMENT PLAN.—*

9                   (A) *IN GENERAL.—Not later than 180 days*  
 10                  *after submission of the management plan by the*  
 11                  *Board, the Secretary shall approve or disapprove*  
 12                  *the management plan.*

13                  (B) *DISAPPROVAL AND REVISIONS.—*

14                  (i) *IN GENERAL.—If the Secretary dis-*  
 15                  *approves the management plan, the Sec-*  
 16                  *retary shall—*

17                         (I) *advise the Board, in writing,*  
 18                         *of the reasons for the disapproval; and*

19                         (II) *make recommendations for*  
 20                         *revision of the management plan.*

21                  (ii) *APPROVAL OR DISAPPROVAL.—The*  
 22                  *Secretary shall approve or disapprove pro-*  
 23                  *posed revisions to the management plan not*  
 24                  *later than 60 days after receipt of the revi-*  
 25                  *sions from the Board.*

1       (b) *PRIORITIES.*—*The Alliance shall give priority to*  
 2 *the implementation of actions, goals, and policies set forth*  
 3 *in the management plan, including—*

4               (1) *assisting units of government, regional plan-*  
 5 *ning organizations, and nonprofit organizations in—*

6                       (A) *conserving the historical, cultural, and*  
 7 *natural resources of the Heritage Area;*

8                       (B) *establishing and maintaining interpre-*  
 9 *tive exhibits in the Heritage Area;*

10                      (C) *developing recreational opportunities in*  
 11 *the Heritage Area;*

12                      (D) *increasing public awareness of and ap-*  
 13 *preciation for the historical, cultural, and nat-*  
 14 *ural resources of the Heritage Area;*

15                      (E) *restoring historic buildings that are—*

16                               (i) *located within the boundaries of the*  
 17 *Heritage Area; and*

18                               (ii) *related to the theme of the Heritage*  
 19 *Area; and*

20                      (F) *ensuring that clear, consistent, and en-*  
 21 *vironmentally appropriate signs identifying ac-*  
 22 *cess points and sites of interest are put in place*  
 23 *throughout the Heritage Area; and*

24               (2) *consistent with the goals of the management*  
 25 *plan, encouraging economic viability in the affected*

1        *communities by appropriate means, including en-*  
 2        *couraging and soliciting the development of heritage*  
 3        *products.*

4        *(c) CONSIDERATION OF INTERESTS OF LOCAL*  
 5        *GROUPS.—In developing and implementing the manage-*  
 6        *ment plan, the Board shall consider the interests of diverse*  
 7        *units of government, businesses, private property owners,*  
 8        *and nonprofit organizations in the Heritage Area.*

9        *(d) PUBLIC MEETINGS.—The Board shall conduct*  
 10       *public meetings at least annually regarding the implemen-*  
 11       *tation of the management plan.*

12       *(e) ANNUAL REPORTS.—For any fiscal year in which*  
 13       *the Alliance receives Federal funds under this title or in*  
 14       *which a loan made by the Alliance with Federal funds*  
 15       *under section 2305(c)(1) is outstanding, the Alliance shall*  
 16       *submit to the Secretary an annual report that describes—*

17                *(1) the accomplishments of the Alliance;*  
 18                *(2) the expenses and income of the Alliance; and*  
 19                *(3) the entities to which the Alliance made any*  
 20       *loans or grants during the year for which the report*  
 21       *is made.*

22       *(f) COOPERATION WITH AUDITS.—For any fiscal year*  
 23       *in which the Alliance receives Federal funds under this title*  
 24       *or in which a loan made by the Alliance with Federal funds*

1 *under section 2305(c)(1) is outstanding, the Alliance*  
 2 *shall—*

3 *(1) make available for audit by Congress, the*  
 4 *Secretary, and appropriate units of government all*  
 5 *records and other information relating to the expendi-*  
 6 *ture of the Federal funds and any matching funds;*  
 7 *and*

8 *(2) require, with respect to all agreements au-*  
 9 *thorizing expenditure of the Federal funds by other*  
 10 *organizations, that the receiving organizations make*  
 11 *available for audit all records and other information*  
 12 *relating to the expenditure of the Federal funds.*

13 *(g) DELEGATION.—*

14 *(1) IN GENERAL.—The Alliance may delegate the*  
 15 *responsibilities and actions under this section for each*  
 16 *area identified in section 2304(b)(1).*

17 *(2) REVIEW.—All delegated responsibilities and*  
 18 *actions are subject to review and approval by the Al-*  
 19 *liance.*

20 **SEC. 2307. DUTIES AND AUTHORITIES OF FEDERAL AGEN-**  
 21 **CIES.**

22 *(a) TECHNICAL ASSISTANCE AND GRANTS.—*

23 *(1) IN GENERAL.—The Secretary may provide*  
 24 *technical assistance and, subject to the availability of*  
 25 *appropriations, grants to—*

1           (A) units of government, nonprofit organi-  
 2           zations, and other persons, at the request of the  
 3           Alliance; and

4           (B) the Alliance, for use in developing and  
 5           implementing the management plan.

6           (2) *PROHIBITION OF CERTAIN REQUIREMENTS.*—  
 7           The Secretary may not, as a condition of the award  
 8           of technical assistance or grants under this section,  
 9           require any recipient of the technical assistance or a  
 10          grant to enact or modify any land use restriction.

11          (3) *DETERMINATIONS REGARDING ASSIST-*  
 12          *ANCE.*—The Secretary shall determine whether a unit  
 13          of government, nonprofit organization, or other per-  
 14          son shall be awarded technical assistance or grants  
 15          and the amount of technical assistance—

16               (A) based on the extent to which the  
 17               assistance—

18                       (i) fulfills the objectives of the manage-  
 19                       ment plan; and

20                       (ii) achieves the purposes of this title;  
 21                       and

22               (B) after giving special consideration to  
 23               projects that provide a greater leverage of Fed-  
 24               eral funds.



1       (b) *PROVISION OF INFORMATION.*—*In cooperation with*  
 2 *other Federal agencies, the Secretary shall provide the pub-*  
 3 *lic with information concerning the location and character*  
 4 *of the Heritage Area.*

5       (c) *OTHER ASSISTANCE.*—*The Secretary may enter*  
 6 *into cooperative agreements with public and private organi-*  
 7 *zations for the purposes of implementing this section.*

8       (d) *DUTIES OF OTHER FEDERAL AGENCIES.*—*A Fed-*  
 9 *eral entity conducting any activity directly affecting the*  
 10 *Heritage Area shall—*

11               (1) *consider the potential effect of the activity on*  
 12 *the management plan; and*

13               (2) *consult with the Alliance with respect to the*  
 14 *activity to minimize the adverse effects of the activity*  
 15 *on the Heritage Area.*

16 **SEC. 2308. NO EFFECT ON LAND USE AUTHORITY AND PRI-**  
 17 **VATE PROPERTY.**

18       (a) *NO EFFECT ON LAND USE AUTHORITY.*—*Nothing*  
 19 *in this title modifies, enlarges, or diminishes any authority*  
 20 *of Federal, State, or local government to regulate any use*  
 21 *of land under any other law (including regulations).*

22       (b) *NO ZONING OR LAND USE POWERS.*—*Nothing in*  
 23 *this title grants powers of zoning or land use control to the*  
 24 *Alliance.*

1       (c) *LOCAL AUTHORITY AND PRIVATE PROPERTY NOT*  
 2 *AFFECTED.*—*Nothing in this title affects or authorizes the*  
 3 *Alliance to interfere with—*

4           (1) *the right of any person with respect to pri-*  
 5 *vate property; or*

6           (2) *any local zoning ordinance or land use plan*  
 7 *of the State or a political subdivision of the State.*

8 **SEC. 2309. AUTHORIZATION OF APPROPRIATIONS.**

9       (a) *IN GENERAL.*—*There is authorized to be appro-*  
 10 *priated to carry out this title \$10,000,000, of which not*  
 11 *more than \$1,000,000 may be made available for any fiscal*  
 12 *year.*

13       (b) *FEDERAL SHARE.*—*The Federal share of the cost*  
 14 *of any activity carried out using funds made available*  
 15 *under this title shall not exceed 50 percent.*

16 **SEC. 2310. TERMINATION OF AUTHORITY.**

17       *The authority of the Secretary to provide assistance*  
 18 *under this title terminates on the date that is 15 years after*  
 19 *the date of enactment of this Act.*

20 **TITLE XXIV—FRENCH COLONIAL**  
 21 **HERITAGE NATIONAL HIS-**  
 22 **TORIC SITE STUDY**

23 **SEC. 2401. SHORT TITLE.**

24       *This title may be cited as the “French Colonial Herit-*  
 25 *age National Historic Site Study Act of 2003”.*

1 **SEC. 2402. FINDINGS.**

2 *Congress finds that:*

3       (1) *The French Colonial Heritage Area has great*  
 4 *historical significance as the home of two of the five*  
 5 *poteaux-en-terre (post in the ground) vertical log*  
 6 *French homes remaining in North America, dating*  
 7 *from circa 1800, in addition to several other impor-*  
 8 *tant historical artifacts.*

9       (2) *The area is located within the Ste. Genevieve*  
 10 *National Historic District, and is adjacent to related*  
 11 *historic properties including the third North Amer-*  
 12 *ican poteaux-en-terre home, the “Le Grand Champ”*  
 13 *(common field used by French settlers), historic down-*  
 14 *town Ste. Genevieve, and a pre-historic Native Amer-*  
 15 *ican village still evidenced by several ceremonial*  
 16 *mounds.*

17       (3) *The Area contains some of the only existing*  
 18 *examples of a French Colonial Period settlement,*  
 19 *which was characterized by contact that emphasized*  
 20 *integration with the local culture.*

21       (4) *Local state agencies and organizations have*  
 22 *undertaken significant efforts to preserve the historic*  
 23 *architecture of Ste. Genevieve and convert it to edu-*  
 24 *cational facilities devoted to the history of the early*  
 25 *French experience in the New World.*

1           (5) *No current National Park System unit has*  
 2           *comparable historic features providing the cultural*  
 3           *backdrop required to adequately interpret the story of*  
 4           *the early French in the New World.*

5 **SEC. 2403. DEFINITIONS.**

6           *In this title:*

7           (1) *AREA.*—*The term “Area” means the French*  
 8           *Colonial Heritage Area, which includes the Bequette-*  
 9           *Ribault, St. Gemme-Amoureux, and Wilhawk homes,*  
 10           *and the related and supporting historical assets lo-*  
 11           *cated in Ste. Genevieve County, Missouri.*

12           (2) *SECRETARY.*—*The term “Secretary” means*  
 13           *the Secretary of the Interior, acting through the Di-*  
 14           *rector of the National Park Service.*

15 **SEC. 2404. STUDY.**

16           (a) *IN GENERAL.*—*Not later than 3 years after the*  
 17           *date on which funds are made available to carry out this*  
 18           *title, the Secretary shall, in consultation with the State of*  
 19           *Missouri—*

20           (1) *complete a study on the suitability and feasi-*  
 21           *bility of designating the Area as a unit of the Na-*  
 22           *tional Park System; and*

23           (2) *submit to the Committee on Resources of the*  
 24           *House of Representatives and the Committee on En-*

1        *ergy and Natural Resources of the Senate a report de-*  
 2        *scribing the findings of the study.*

3        (b) *CONTENTS.*—*The study under subsection (a) shall*  
 4        *be conducted in accordance with Public Law 91–383 (16*  
 5        *U.S.C. 1a–1 et seq.).*

6        **SEC. 2405. AUTHORIZATION OF APPROPRIATIONS.**

7        *There are authorized to be appropriated such sums as*  
 8        *are necessary to carry out this title.*

9        **TITLE XXV—SOUTHERN CAM-**  
 10        **PAIGN OF THE REVOLUTION**  
 11        **HERITAGE AREA STUDY**

12        **SEC. 2501. SHORT TITLE.**

13        *This title may be cited as the “Southern Campaign*  
 14        *of the Revolution Heritage Area Study Act”.*

15        **SEC. 2502. DEFINITIONS.**

16        *In this title:*

17                (1) *HERITAGE AREA.*—*The term “Heritage*  
 18                *Area” means the Southern Campaign of the Revolu-*  
 19                *tion Heritage Area.*

20                (2) *SECRETARY.*—*The term “Secretary” means*  
 21                *the Secretary of the Interior.*

22                (3) *STATE.*—*The term “State” means the State*  
 23                *of South Carolina.*

24                (4) *STUDY AREA.*—*The term “study area” means*  
 25                *the study area described in section 3(b).*

1 **SEC. 2503. SOUTHERN CAMPAIGN OF THE REVOLUTION**  
 2 **HERITAGE AREA STUDY.**

3 (a) *IN GENERAL.*—*The Secretary, in consultation with*  
 4 *State historic preservation officers, State historical soci-*  
 5 *eties, the South Carolina Department of Parks, Recreation,*  
 6 *and Tourism, and other appropriate entities, shall conduct*  
 7 *a study to assess the suitability and feasibility of desig-*  
 8 *nating the study area as the Southern Campaign of the*  
 9 *Revolution Heritage Area.*

10 (b) *DESCRIPTION OF STUDY AREA.*—*The study area—*

11 (1) *shall include the counties of Anderson, Beau-*  
 12 *fort, Charleston, Cherokee, Chester, Chesterfield,*  
 13 *Colleton, Darlington, Dorchester, Fairfield, Florence,*  
 14 *Georgetown, Greenville, Greenwood, Kershaw, Lan-*  
 15 *caster, Laurens, Marlboro, Orangeburg, Pickens,*  
 16 *Richland, Spartanburg, Sumter, Union, Williams-*  
 17 *burg, and York in the State; and*

18 (2) *may include—*

19 (A) *National Park Service sites in the*  
 20 *State, including—*

21 (i) *the Charles Pickney National His-*  
 22 *toric Site;*

23 (ii) *Cowpens National Battlefield;*

24 (iii) *Fort Moultrie National Monu-*  
 25 *ment;*

1                   (iv) *Kings Mountain National Mili-*  
2                   *tary Park;*

3                   (v) *the National Park Service affiliate*  
4                   *of the Historic Camden Revolutionary War*  
5                   *Site; and*

6                   (vi) *the Ninety Six National Historic*  
7                   *Site;*

8                   (B) *sites maintained by the State,*  
9                   *including—*

10                   (i) *Andrew Jackson State Park;*

11                   (ii) *Colonial Dorchester State Historic*  
12                   *Site;*

13                   (iii) *Fort Watson;*

14                   (iv) *Eutaw Springs Battle Site;*

15                   (v) *Hampton Plantation State His-*  
16                   *toric Site;*

17                   (vi) *Landsford Canal State Historic*  
18                   *Site; and*

19                   (vii) *Musgrove Mill State Park;*

20                   (C) *other sites in the State that are open to*  
21                   *the public, including—*

22                   (i) *Goose Creek Church;*

23                   (ii) *Historic Brattonsville;*

24                   (iii) *Hopsewee Plantation;*

25                   (iv) *Middleton Place; and*

1                   (v) *Walnut Grove Plantation;*

2                   (D) *the cities of Beaufort, Camden, Cayce,*  
 3                   *Charleston, Cheraw, Georgetown, Kingstree,*  
 4                   *Orangeburg, and Winusboro, in the State; and*

5                   (E) *appropriate sites and locations in the*  
 6                   *State of North Carolina, as the Secretary deter-*  
 7                   *mines to be appropriate.*

8           (c) *REQUIREMENTS.—The study shall include anal-*  
 9           *ysis, documentation, and determinations on whether the*  
 10           *study area—*

11                   (1) *has an assemblage of natural, historic, and*  
 12                   *cultural resources that—*

13                           (A) *represent distinctive aspects of the herit-*  
 14                           *age of the United States;*

15                           (B) *are worthy of recognition, conservation,*  
 16                           *interpretation, and continuing use; and*

17                           (C) *would be best managed—*

18                                   (i) *through partnerships between pub-*  
 19                                   *lic and private entities; and*

20                                   (ii) *by linking diverse and sometimes*  
 21                                   *noncontiguous resources and active commu-*  
 22                                   *nities;*

23                   (2) *reflects traditions, customs, beliefs, and*  
 24                   *folklife that are a valuable part of the story of the*  
 25                   *United States;*



1           (3) provides—

2                   (A) outstanding opportunities to conserve  
3           natural, historical, cultural, or scenic features;  
4           and

5                   (B) outstanding recreational and edu-  
6           cational opportunities;

7           (4) contains resources that—

8                   (A) are important to any identified themes  
9           of the study area; and

10                  (B) would support interpretation;

11           (5) includes residents, business interests, non-  
12           profit organizations, and State and local governments  
13           that—

14                   (A) are involved in the planning of the Her-  
15           itage Area;

16                   (B) have developed a conceptual financial  
17           plan that outlines the roles of all participants in  
18           the Heritage Area, including the Federal Govern-  
19           ment; and

20                   (C) have demonstrated support for the des-  
21           ignation of the Heritage Area;

22           (6) has a potential management entity to work  
23           in partnership with the individuals and entities re-  
24           ferred to in paragraph (5) while encouraging contin-  
25           ued State and local economic activity; and

1           (7) *has a conceptual boundary map that is sup-*  
 2           *ported by the public.*

3 **SEC. 2504. REPORT.**

4           *Not later than the 3rd fiscal year that begins after the*  
 5           *date on which funds are first made available to carry out*  
 6           *this title, the Secretary shall submit to the Committee on*  
 7           *Resources of the House of Representatives and the Com-*  
 8           *mittee on Energy and Natural Resources of the Senate a*  
 9           *report on—*

10           (1) *the findings of the Secretary; and*

11           (2) *any conclusions and recommendations of the*  
 12           *Secretary.*

Attest:

*Secretary.*

108<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 1521**

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**SENATE AMENDMENTS TO  
HOUSE AMENDMENTS**